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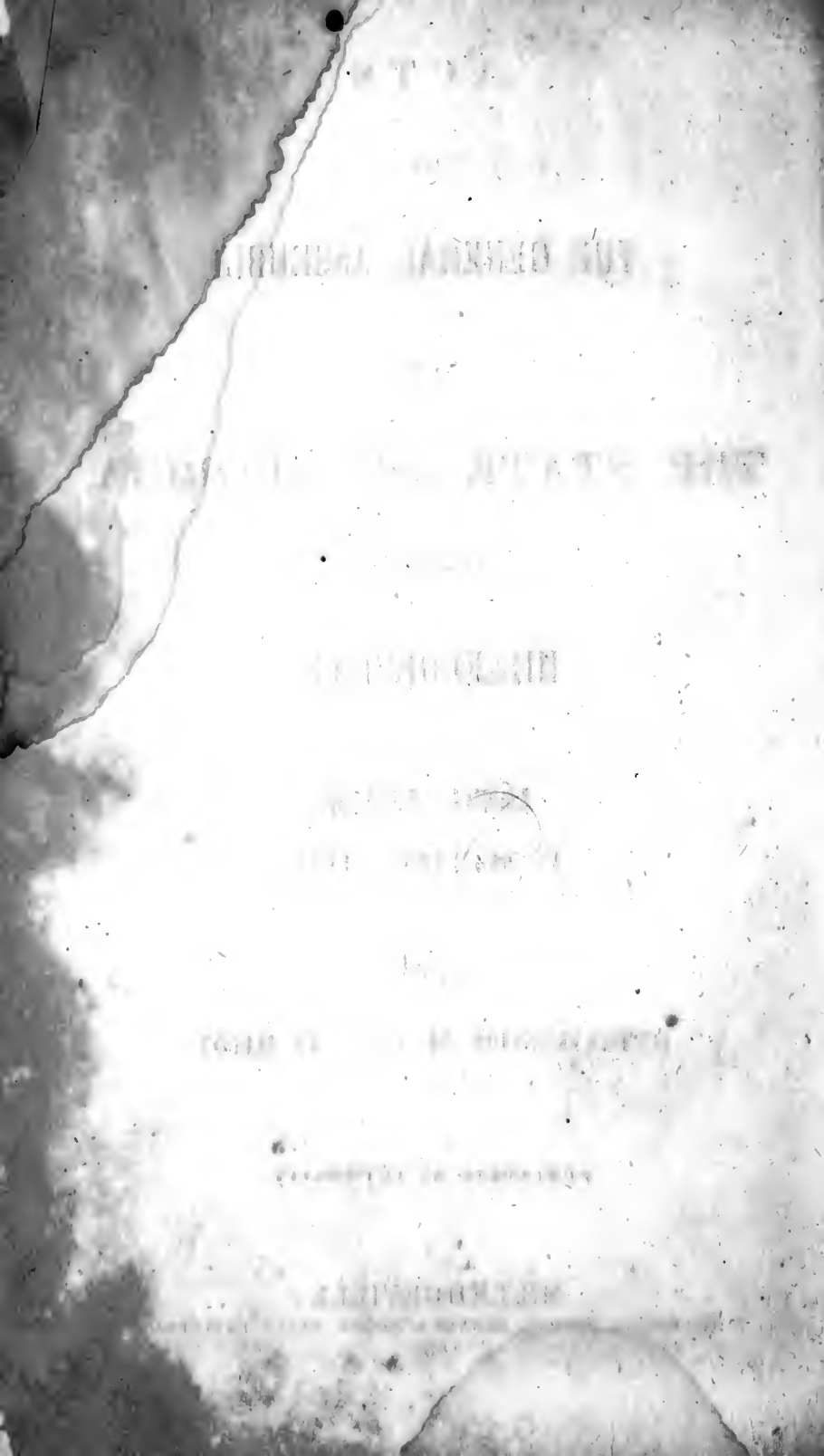
F E B R U A R Y A N D M A R C H , 1 8 6 5 .

ACTS
OF
THE GENERAL ASSEMBLY
OF
THE STATE OF GEORGIA,
PASSED IN
MILLEDGEVILLE,
AT AN
ANNUAL SESSION
IN NOVEMBER, 1861:

ALSO,
EXTRA SESSION OF 1865, AT MACON.

PUBLISHED BY AUTHORITY.

MILLEDGEVILLE:
BOUGHTON, NISBET, BARNES & MOORE, STATE PRINTERS.
1865.



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TABLE OF TITLES, DIVISIONS, &C.

PART I.

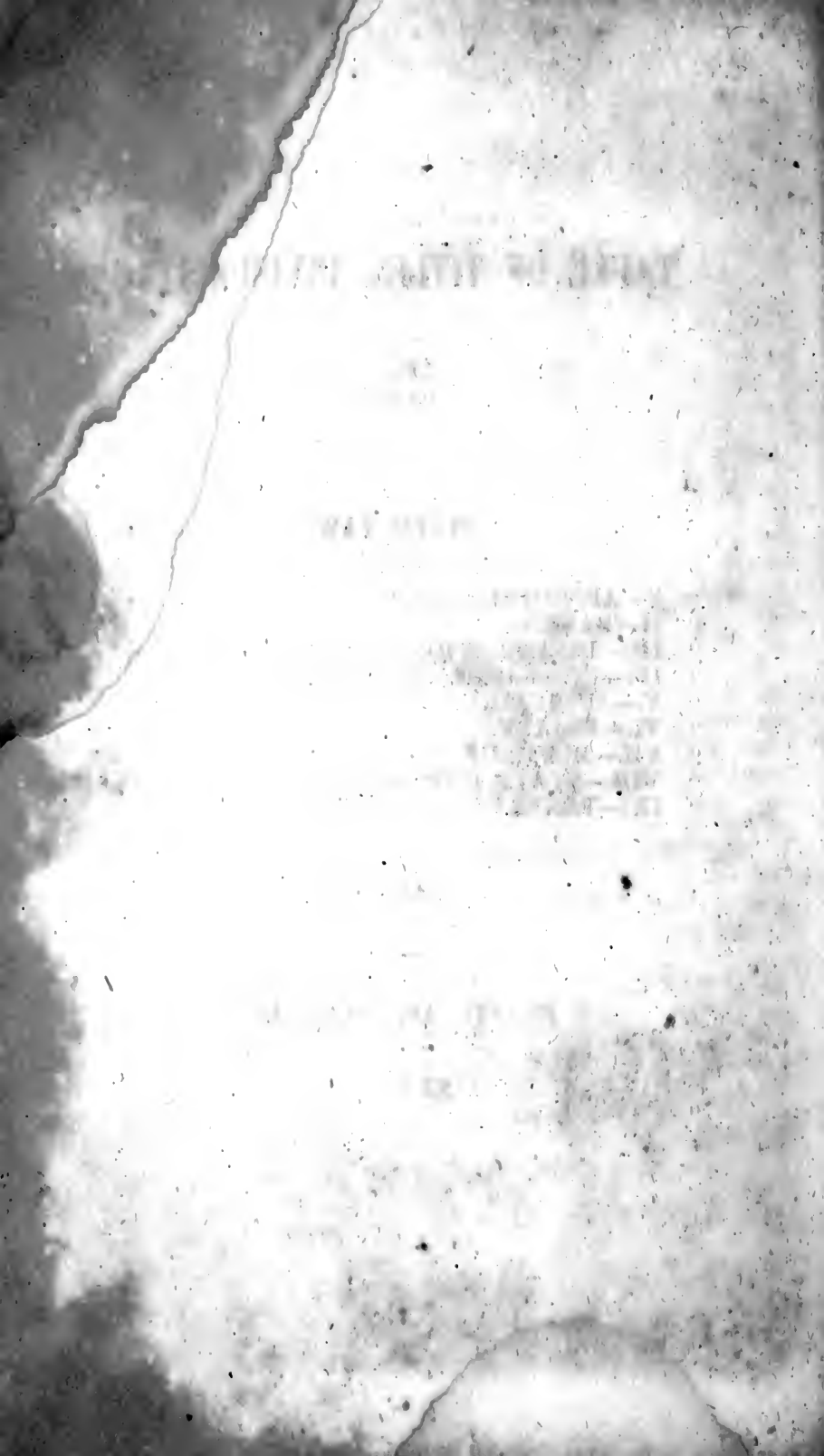
PUBLIC LAWS

- TITLE I.—APPROPRIATIONS.
“ II.—BANKS.
“ III.—DISTILLATION.
“ IV.—INSURANCE COMPANIES.
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PART II.

PRIVATE AND LOCAL LAWS.

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STATUTES OF GEORGIA,

PASSED BY THE

GENERAL ASSEMBLY OF 1864.

PART I.---PUBLIC LAWS.

TITLE I.

APPROPRIATIONS.

- SEC. 1. Salary of Governor, Secretary of State, Compt. General and Treasurer. Secretaries of Executive Department, Messenger, Librarian, Attorney and Solicitors General, Reporter of Supreme Court. Appropriation to Clerk of Supreme Court for stationery and advertising. Judges of Supreme Court. Judges of Superior Courts.
- " 2. Contingent Fund. Printing Fund. Taking care of Senate Chamber and Representative Hall. State House Clock. State House Guard.
- " 3. Pay of President and Speaker, Mileage. Pay of Members. Mileage. Proviso.
- " 4. Secretary of Senate; Proviso. Contingent expenses of Secretary and Clerk. Pay of Clerks of standing Committees. Proviso.
- " 5. Pay of Door Keepers and Messengers; Mileage. Lighting, &c.; Chandlers.
- " 6. Governor to pay for services directed by General Assembly.
- " 7. Salaries fixed by law.
- " 8. Advances by Treasurer.
- " 9. Members and Officers of General Assembly and Civil Officers to be paid in State Treasury notes.
- " 10. Appropriation for Georgia Relief and Hospital Association.
- " 11. Six Million appropriated for Indigent Widows, Orphans of Soldiers, disabled, &c. How distributed; Indigent Exiles and refugees included. Quartermaster General to furnish transportation.
- " 12. Appropriation to purchase corn for counties overrun, or destitute from Providential cause; on what terms furnished.
- " 13. To pay public debt and interest accruing.
- " 14. Salary of Superintendent of Georgia Military Institute; Professors.
- " 15. One million dollars for Military Fund.
- " 16. Guard of State Magazine. Military Store Keeper.
- " 17. To pay Recording Clerk of Executive Department.
- " 18. Stationery for Executive Department.
- " 19. To pay Secretary of State for fuel, lights, and other contingencies.
- " 20. Support of State Lunatic Asylum.
- " 21. Institute for Blind.
- " 22. To M. J. Whitlock for beef for Ga. Military Institute. To J. S. Inman, for lard for State Military Institute.
- " 23. Governor may issue State Treasury notes to meet any deficiency. How and when redeemable.
- " 24. State Treasury notes and change bills to be burned as redeemed, every two months. Governor to draw warrants in favor of Treasurer for amount burned.
- " 25. One and a half millions appropriated for exportation of cotton, to purchase army supplies; pay interest on foreign State debt, &c. Governors may purchase or charter vessels, and draw on cotton for payment. General power.
- " 26. Pay of negro hire for Session.
- " 27. Chaplain of House and Senate. Page of House.
- " 28. Appropriation to pay S. T. Payer, W. L. Grice and D. Henderson, for services and mileage.
- " 29. To pay Districts Aides de-Camp.
- " 30. Pay of Clerk in Treasurer's office.
- " 31. Advances by Treasurer to officers and members of General Assembly authorized.
- " 32. General Assembly, and all salaried civil officers of the State to be paid in State Treasury notes.

Salaries of Governor and State House Officers, Judges of Supreme Court, &c.—Contingent Fund.

(No. 1.)

An act to provide for raising a revenue for the political year eighteen hundred and sixty-five, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That the following sums of money be, and the same are hereby appropriated, to the respective persons and objects hereinafter mentioned, to-wit: The sum of four thousand dollars to His Excellency the Governor, as his salary for the year eighteen hundred and sixty-five; and the further sum of three thousand dollars each, to the Secretary of State, Comptroller General, and the State Treasurer, for the year eighteen hundred and sixty-five; and the sum of twenty-five hundred dollars each to the Secretaries of the Executive Department, (not exceeding two) for the year eighteen hundred and sixty-five; and the sum of six hundred dollars to pay the Messenger of the Executive Department, for the year eighteen hundred and sixty-five; and the sum of one thousand dollars to the State Librarian, as his salary for the year eighteen hundred and sixty-five; and the sum of two hundred and twenty-five dollars to each, the State Attorney, and the Solicitors General, for the year eighteen hundred and sixty-five; and the sum of one thousand dollars to the Reporter of the decisions of the Supreme Court, as his salary for the year eighteen hundred and sixty-five; and the further sum of twelve hundred dollars be, and the same is hereby appropriated to pay the Clerk of the Supreme Court for stationery and advertising notices of the meeting of the said Court in the year eighteen hundred and sixty-five; and the sum of thirty-five hundred dollars to each Judge of the Supreme Court, as his salary for the year eighteen hundred and sixty-five; and the sum of twenty-five hundred dollars to each Judge of the Superior Court as his salary for the year eighteen hundred and sixty-five.*

2. SEC. II. *Be it further enacted, That the sum of twenty thousand dollars, and the unexpended balance on hand the fifteenth of October, eighteen hundred and sixty-four, be, and the same is hereby appropriated as a contingent fund for the year eighteen hundred and sixty-five; and the sum of thirty thousand dollars be appropriated for a printing fund for the current year, and in case of a deficiency in this appropriation, the Governor is hereby authorized to draw his warrant on the Treasury, to be paid out of any money in the Treasury, not otherwise appropriated; and the sum of seventy-five dollars to the person selected by the Governor, to keep clean, scour and air the chambers of the Senate and Representative Halls, for the year eighteen hundred and sixty-five; and the sum of fifty dollars, or so much thereof as may be necessary, to pay for repairing and keeping in order the State House Clock for the year eighteen hundred and sixty-five; provided, said clock is kept in repair; and the sum of twenty-four hundred dollars to pay*

Salary of Governor.

Sec'y. State, Comp. Gen. and Treas'r.

Secretaries of Ex. Dept.

Messenger.

Librarian.

Attorney and Solicitors General.

Reporter of Sup'm. Court.

Appropriation for Clerk of Sup'm. Court for stationery and advertising.

Judges of Supreme Court.

Judges of Superior Courts.

Contingent Fund.

Printing fund.

Taking care of Senate Chamber and Rep. Hall.

State House Clock.

Members and Officers of the General Assembly.

the State House Guard, for the year eighteen hundred and sixty-five. State House Guard.

3. SEC. III. *And be it further enacted*, That the sum of ten dollars per day, each, be paid to the President of the Senate, and the Speaker of the House of Representatives, during the present session of the General Assembly; and the sum of five dollars for every twenty miles of travel, going to, and returning from, the seat of Government, the distance to be computed by the nearest route usually traveled; and the sum of six dollars each, per day, be paid to the members of the General Assembly, during the present session, and five dollars for every twenty miles of travel, going to, and returning from the Capitol, under the same rules which apply to the President of the Senate, and Speaker of the House of Representatives; *Provided*, that no member of the General Assembly shall receive pay for the time he may be absent, unless his absence was caused by the sickness of himself or his family, or he had leave of absence granted by the Senate or House for satisfactory reasons. Pay of President & Speaker.
Milage.
Pay of Members.
Milage.
Proviso.

4. SEC. IV. *Be it further enacted*, That the Secretary of the Senate be paid the sum of eighty-seven fifty-one hundredths dollars per day for the present session; and the Clerk of the House of Representatives, to be paid one hundred dollars per day for the present session, out of which sums they shall pay all their assistants and sub-clerks; *Provided*, that no warrant shall issue in favor of either, until His Excellency the Governor, shall have satisfactory evidence that they have carefully marked and filed away all reports of standing committees, and all papers of importance connected with either House; and the sum of one hundred dollars, or so much thereof as may be necessary, is hereby appropriated, each, to the Secretary of the Senate, and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices at the present session of the General Assembly; And that the sum of twelve dollars per diem, be appropriated to pay the Clerks of the standing committees of the Senate, and House of Representatives; *Provided*, that the Auditing Committee of either the Senate or House shall not be authorized to audit said Clerks' accounts for any greater number of days, than shall be certified by the Chairman of the committee to which he was Clerk. Secretary Senate.
Proviso.
Contingent expenses of Secretary and Clerk.
Pay of Clerks of Standing Committees.
Proviso.

5. SEC. V. *Be it further enacted*, That the sum of six dollars per day be paid to each of the Door Keepers and Messengers of the Senate and House of Representatives, at the present session of the General Assembly; and the same mileage to each of said Door-keepers and Messengers, as is paid to the members of the General Assembly; and the sum of fifty dollars, or so much thereof as may be necessary, is hereby appropriated for cleaning, lighting and keeping in order the chandeliers of the Senate Chamber and Representative Hall, during the present session of the General Assembly. Pay of Door Keepers and Messengers.
Milage.
Lighting &c.

6. SEC. VI. *Be it further enacted*, That in all cases, where the

Georgia Relief and Hospital Association—Soldiers' Families.

Governor to pay for services directed by General Assembly. General Assembly directs the performance of any service or labor, for which no provision is made for compensation, the Governor is hereby authorized to draw his warrant on the Treasury for such sum or sums, as in his judgment may be a just compensation.

Salaries fixed by law. 7. SEC. VII. *Be it further enacted*, That the various sums of the annual salaries of all the officers of this State, whose salaries are fixed by law, be, and the same are hereby appropriated annually, to pay said salaries until they are otherwise altered by law.

Appropriation by Treasurer. 8. SEC. VIII. *Be it further enacted*, That the Treasurer be authorized to pay from time to time, to the officers of the Government, whose salaries are appropriated by this act, seventy-five per cent of the amount, for which service has been actually rendered at the date of such payment, taking receipts from said officers for the same, which receipts shall be his vouchers, and are hereby declared offsets to the extent of such payments, to executive warrants drawn at the end of the quarter for such officers salaries.

Members and Officers of General Assembly and civil officers to be paid in State Treasury Notes. 9. IX. *And be it further enacted*, That the Treasurer be authorized and required to pay the members and officers of this General Assembly, and the warrants drawn on the Treasury, for the salaries of all other civil officers of the State, for the political year eighteen hundred and sixty-five, in State Treasury notes, of the class issued under act of fourteenth of December, eighteen hundred and sixty-one.

Appropriation for Georgia Relief and Hospital Association. 10. SEC. X. *Be it further enacted*, That the sum of five hundred thousand dollars be, and the same is hereby appropriated, for the Georgia Relief and Hospital Association; to be drawn and expended according to an act entitled "An act to appropriate funds to the uses of the Georgia Relief and Hospital Association," assented to December twelfth, eighteen hundred and sixty-two.

See million dollars appropriated for indigent widows, orphans of soldiers disabled, &c. 11. SEC. XI. *Be it further enacted*, That the sum of six millions of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, for the support of the indigent widows, and orphans of soldiers, and indigent families of soldiers who may be in the public service, and for the support of indigent soldiers, who may be disabled by wounds or disease in the service of this State, or the Confederate States, for and during the year 1865, and of indigent exiles and refugees of this State, who are poor and destitute; *Provided*, that the fund appropriated for this purpose, shall be distributed as is prescribed by law for the past year, till further legislation on this subject; *and provided further*, that the Justices of the Inferior Court of each county, in their returns shall include the indigent exiles and refugees from other counties in this State, who have fled from the enemy, and are destitute of the means of support; *and provided further*, that the Inferior Courts may purchase corn or other necessities of life in such counties as they may deem proper; and the Quartermaster General is instructed to get transportation for the same, upon the same terms as general freight is transported.

How distributed.

Indigent exiles and refugees included.

Quartermaster General to furnish transportation.

12. SEC. XII. *And be it further enacted*, That the sum of eight

Public Debt—Salary of Superintendent of the Georgia Military Institute—Military Fund.

hundred thousand dollars, or so much thereof as may be necessary, be appropriated and set apart, for the purpose of enabling His Excellency the Governor, to purchase such quantity of corn as may be necessary, to provide bread for such persons in the counties which may have been, or may hereafter be, overrun by the enemy, and such other counties as may be destitute, and certified to be so by the Inferior Courts, for corn for the indigent poor, by drought or wet weather, which the Governor is hereby authorized to have purchased; and he is authorized to have said corn conveyed to such places as he may think proper, for the convenience of said persons, which corn shall be furnished gratis to those unable to pay for it, and such persons as are able to pay for the same shall be required to do so, and the money received for said corn, from such persons, shall be paid into the Treasury.

Appropriation to purchase corn for counties overrun, or destitute from Provisional cases.

On what terms furnished

13. SEC. XIII. *Be it further enacted*, That the sum of one million two hundred and eighty-nine thousand five hundred and seventy-six dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay any portion of the public debt which may become due within the present political year; and to pay the interest on State bonds, as may be issued by authority of any law passed during the present session of the General Assembly, the same to be paid out of any money in the Treasury not otherwise appropriated.

To pay public debt and interest accruing

14. SEC. XIV. *Be it further enacted*, That the sum of three thousand dollars is hereby appropriated to pay the salary of the Superintendent of the Georgia Military Institute: and the sum of one thousand eight hundred dollars each, to pay the salaries of the Professors.

Salary of Superintendent of Geo. Military Institute Professors.

15. SEC. XV. *Be it further enacted* That the sum of one million of dollars, and the balance of the same fund undrawn, or so much thereof as may be necessary, be, and the same is hereby appropriated as a Military Fund for the year eighteen hundred and sixty five, to be drawn from the Treasury on warrants of the Governor, from time to time, as the same may be required, to defray the expenses for military purposes, or for other necessary expenses or payments growing out of military operations, or the movements of troops.

One million dollars for Military Fund.

16. SEC. XVI. *Be it further enacted*, That the sum of eight hundred dollars or so much thereof as may be necessary is appropriated to pay the Guards at the State Magazine at Milledgeville, for the year eighteen hundred and sixty-five; and the sum of nine hundred dollars, to pay the Military Store Keeper in the city of Milledgeville.

Guard of State Magazine

Military Store Keeper.

17. SEC. XVII. *Be it further enacted*, That the sum of twenty-five hundred dollars be, and the same is hereby appropriated, to pay the Recording Clerk of the Executive Department for the year eighteen hundred and sixty-five.

To pay Recording Clerk of Ex. Dept.

18. SEC. XVIII. *Be it further enacted*, That the sum of eighteen thousand dollars, be, and the same is hereby appropriated, for the purchase of stationery for the use of the Executive Department.

Stationary for Ex. Dept.

State Lunatic Asylum—Institution for the Blind—State Treasury Notes.

To pay Sec'y.
of State for
fuel, lights
and other
contingencies.

19. SEC. XIX. *Be it further enacted*, That the sum of nine thousand and thirteen dollars be, and the same is hereby appropriated, to the Secretary of State, to pay for fuel, lights, and other contingencies provided by him for the General Assembly, as per account rendered the Finance Committee, to be drawn on the warrants of the Governor, and paid out of any money in the Treasury not otherwise appropriated.

Support of
State Lunatic
Asylum.

20. SEC. XX. *Be it further enacted*, That the sum of one hundred and forty-two thousand five hundred dollars be, and the same is hereby appropriated, to and for the support of the State Lunatic Asylum, for the year eighteen hundred and sixty-five.

Institute for
Blind.

21. SEC. XXI. *And be it further enacted*, That the sum of twelve thousand dollars be, and the same is hereby appropriated, to support of the Institution for the Blind, for and during the year eighteen hundred and sixty-five.

To M. J.
Whitlock for
beef for Gen.
Military In-
stitute.

22. SEC. XXII. *And be it further enacted*, That the sum of five thousand eight hundred and ten dollars, or so-much thereof as may be necessary, be, and the same is hereby appropriated, to pay M. J. Whitlock for beef bought for the Military Institute in May last; and the further sum of fourteen hundred and forty two dollars be, and the same is hereby appropriated, to pay J. S. Innman for four hundred and twelve pounds of lard purchased for the Military Institute in April last.

To J. S. Inn-
man for lard
for State Mil-
itary In-
stitute.

Governor may
issue State
Treasury notes
to meet any
deficiency.

23. SEC. XXIII. SEC. *Be it further enacted*, That in case of any deficiency of funds in the Treasury, to meet any appropriation made by this Act, the Governor be, and he is hereby authorized, to issue Treasury notes, making the notes hereafter to be issued payable the twenty-fifth December, eighteen hundred and sixty-five, and redeemable in Confederate Treasury notes, if presented within three months from maturity, and receivable for Taxes and public dues before and after maturity.

How, and
when re-
deemable.

State Treas-
ury notes and
change bills
to be burned
at redemtion
every 100
months.

24. SEC. XXIV. *And be it further enacted*, That the State Treasurer be authorized to burn every two months, or oftener if necessary, in the presence of the Governor or other person appointed by him, the State Treasury notes due on the twenty-fifth December eighteen hundred and sixty-four, and redeemed by him; and also such State Change Bills redeemed at the Treasury, which may be unfit for circulation; and that for the purpose of meeting the charges of the Comptroller General against the Treasurer for these Treasury notes and Change Bills, the Governor is hereby authorized and required to draw his warrant on the Treasury, in favor of the Treasurer, for the amount thus burned.

Governor to
draw warrant
in favor of
Treasurer for
amt. burned.

One and a
half millions
appropriated
for exporta-
tion of cotton
to purchase
army supplies
pay interest
on foreign
State debt,
&c.

25. SEC. XXV. *And be it further enacted*, That the sum of one and a half millions of dollars be, and the same is hereby appropriated, to be used in the exportation of cotton and other produce, for the purpose of paying for soldiers clothing, Blankets and other supplies necessary to be imported for the State; and for the purpose of accumulating exchange in Europe to pay the interest on the sterling debt of the State; and to meet the further demands of

Rev. Wm. Flinn, Chaplain—District Aids-de-Camp—Clerk in Treasurer's office.—Certain advances.

the State for railroad supplies, and other necessary articles. And the Governor is hereby authorized to purchase or charter such vessels, as may, in his opinion, be necessary for that purpose, and to draw upon the cotton or other produce exported, from time to time, to pay for such vessels, and to pay for cotton and other produce to keep the business in active and successful operation with the view to the exportation of as much cotton and other produce for the States possible; and he is hereby authorized to do all lawful acts which are, in his opinion, necessary to facilitate the business, and promote the success of the enterprise and the interest of the State in connection with it.

Governor may purchase or charter vessels, & draw on cotton for payment.

General power.

26. SEC. XXVI. *And be it further enacted*, That the sum of five dollars per day be paid to each, the messengers of the Senate and House of Representatives, for negro hire during the present session.

Pay of negro hire for session.

27. SEC. XXVII. *And be it further enacted*, That the sum of two hundred and fifty dollars be, and the same is hereby appropriated, as compensation to the Rev. W. Flinn, Chaplain of the Senate and House; and the sum of one hundred dollars to Iverson L. Hunter, for his services as page to this House.

Chaplain of House and Senate.

Page of House.

28. SEC. XXVIII. *Be it further enacted*, That the sum of seventy-eight dollars each, be, and the same is hereby appropriated, to pay the Hon. S. T. Player, Representative from the county of Wilkinson; W. L. Grice Senator from the twenty third District, and Daniel Henderson, Representative from Worth county, for their services and mileage in attending the late called session of the General Assembly.

Appropriation to pay S. T. Player, W. L. Grice and Daniel Henderson for services and mileage.

29. SEC. XXIX. *Be it further enacted*, That the amount of seven dollars per day, be paid the District Aids-De-Camp, out of the fund appropriated for military purposes, for every day that they are or have been on legitimate military duty, under orders from the Governor.

To pay District Aids-De-Camp.

30. SEC. XXX. *And be it further enacted*, That the sum of twenty-five hundred dollars be, and the same is hereby appropriated, to pay the Clerk in the Treasurer's office.

Pay of Clerk in Treasurer's office.

SEC. XXXI. All conflicting laws are hereby repealed.

Assented to November 18th, 1864.

(No. 2.)

An act to authorize and require the Treasurer of this State, to make certain advances and for other purposes.

31. SECTION, I. *The General Assembly of the State of Georgia do enact*, That the Treasurer of this State be, and he is hereby authorized and required, to make advances to any of the members and officers of this General Assembly, in no case to exceed the per diem pay and mileage of any member of the same.

Advances by Treasurer to officers and members of General Assembly authorized.

32. SEC. II. *Be it further enacted*, That the State Treasurer be further authorized and required, to pay the members and officers of

Bank of the Empire State—Act to prevent the unnecessary consumption of grain amended.

General Assembly, and the warrants drawn on the Treasury for the salaries of the other civil officers of the State, for the political year 1865, in State Treasury notes of the class issued under act of 14th December 1861.

Sec. III. Repeals conflicting laws.

Assented to November 17th, 1864.

TITLE II.

BANKS.

Sec. I. "Bank of the Empire State," relieved from penalties imposed by law for not making reports.

(No. 3.)

An Act for the relief of the Bank of the Empire State, established at Rome Georgia.

Preamble.

WHEREAS, The enemy having unexpectedly taken possession of Rome, in the month of May, eighteen hundred and sixty-four, and thereby the books and papers of the Bank of the Empire State having fallen into their hands; and, whereas, on the fourth day of June eighteen hundred and sixty-four, the Governor called for the report from the different Banks; and in consequence of the President and Cashier of said Bank being unable to recover the books and papers of said Bank from the enemy, they have been unable to make a report to the Governor as required by law.

Reliev'd. from penalties imposed by law for not making reports.

I. SECTION, I. *The General Assembly of the State of Georgia do enact*, That the Bank of the Empire State be relieved from all pains and penalties imposed upon Banks for not making their returns to the Governor when called upon to do so; and that said Bank be in future relieved from said penalties until it recovers its books and papers, or until they again commence business.

Sec. II. Repeals conflicting laws.

Assented to November 18th, 1864.

TITLE III.

DISTILLATION.

Sec. 1. Making lager beer allowed.

2. Persons indicted for making lager beer relieved, on paying cost.

(No. 4.)

An Act to amend An Act to alter and amend an Act, to prevent the unnecessary consumption of Grain by Distillers and Manufacturers of Spirituous Liquors in this State, Approved November 22d, 1862, and amended April 11th, 1863; and to suspend and dismiss all prosecutions for Brewing Lager Beer under and by virtue of said act.

WHEREAS, In the first section of said amended Act of April 11th,

Merchants Insurance Company of Columbus.

1863, it is declared that it shall not be lawful for any person or persons to make or cause to be made within this State, any Whiskey, Alcohol, or other Spirituous or Malt Liquors: *And whereas*, it has been held, that under said section, the brewing and making of Lager Beer and other innocent beverages was illegal, and many persons in various parts of this State, have been arrested and indicted for the same, *for remedy whereof*:

Preamble.

1. SECTION I. *Be it enacted*, That the 1st section of the above recited Act be, and the same is hereby amended, by inserting the words except Lager Beer, after the words Malt Liquors, so as to read as follows, or other Spirituous or Malt Liquors except Lager Beer.

Making Lager Beer allowed.

2. SEC. II. That all persons in this State, are hereby released and relieved from the penalties incurred by the violation of said Acts for brewing Lager Beer; and all prosecutions instituted by officers of this State, for violating said Acts by brewing Lager Beer in this State, are hereby directed to be settled, upon the payment of the costs which have accrued on the same, by the defendant or defendants.

Persons indicted for making Lager Beer relieved on paying cost.

SEC. III. Repeals conflicting laws

Assented to Nov. 14, 1864.

TITLE IV.

INSURANCE COMPANIES.

Sec. 1. Capital stock of "Merchants & Insurance Company."
 " 2. Company incorporated. Regulations for subscriptions.
 " 3. Name of Company. General Powers.
 " 4. Election of President and Directors. Officers elected annually.
 " 5. Eligibility restricted.
 " 6. Power of President and Directors. To appoint officers and fill vacancies. To sell stock of delinquent

stock-holders. Regulate dividends and transfers of stock. Distribution of net profits.

" 7. May take fire, marine and inland risks of insurance. When contracts binding. Power to receive deposits, borrow and loan money, discount notes, &c. Issuing bank bills prohibited.

" 8. Liability of Company. Of stock holders.

" 9. Limitation of Charter.

(No. 5.)

An Act to incorporate an Insurance Company in the city of Columbus, to be called the "Merchants' Insurance Company of Columbus Georgia."

1. SECTION I. *Be it enacted*, &c., That there shall be established in the city of Columbus, an Insurance Company, the capital stock of which shall be Five Hundred Thousand Dollars, with the privilege of increasing said capital to One Million, upon the terms herein prescribed.

C Ital. Douk.

2. SEC. II. *Be it further enacted*, That J. F. Winter, E. Barnard, W. H. Hughes, W. W. Garrard, J. F. Bozeman, S. Rothchilds, J. Company incorporated.

Merchants Insurance Company of Columbus.

Regulations
for subscrip-
tions.

Hanserd, W. A. Bedel, W. H. Young, T. S. Spear, D. F. Wilcox, and J. B. Hill, or any five of them, are hereby appointed Commissioners, whose duty it shall be after advertising for ten days in one of the city papers, of the time and place of subscribing, at any time before the first of January, Eighteen Hundred and sixty-five, to open in the city of Columbus a Book, and receive subscriptions for stock in said Company, which book shall be by them kept open, until the sum of Two Hundred and fifty Thousand Dollars of stock is subscribed for; each subscriber shall at the time pay to the Commissioners, twenty-five Dollars upon every share subscribed for, and no person shall be allowed to subscribe for more than two hundred and fifty shares of said stock, but this shall not prevent any person after the organization of said Company, from owning more than two hundred and fifty shares by purchase or otherwise.

Name of com-
pany.

General pow-
ers.

3. SEC. III. *Be it further enacted*, That those who shall become subscribers for said stock as above mentioned, their successors and assigns shall be, and they are hereby created and made, a body corporate by the name and style of "Merchants' Insurance Company of Columbus, Georgia," and by that name shall be, and are hereby made capable in law to have, purchase, receive, possess, enjoy and retain, and sell all kinds of property which may be necessary to conduct the business of the corporation; to sue and be sued, to make and use a common Seal, and break, alter and renew the same at pleasure; to ordain, establish and put into execution, such by-laws, rules and regulations as shall seem necessary and convenient for the government of said corporation, not contrary to the laws and constitution of this State or of the Confederate States; and generally to do all acts and things as shall appertain to or be necessary for the carrying into effect, the objects and purposes of said corporation.

Election of
President &
Directors.

4. SEC. IV. *Be it further enacted*, That said Commissioners shall immediately after as much as two Hundred and fifty thousand Dollars of the stock of said corporation shall have been subscribed for, and twenty-five dollars per share paid to them, call a meeting of the stock-holders, and they, the stock-holders, shall proceed to organize said corporation by the election of not less than five, nor more than eleven Directors, a majority of whom shall constitute a quorum; and the said Directors shall elect one of their members as President, after which said Commissioners shall turn over said books of subscription and money paid in, to said President and Directors; and said President and Directors shall, annually, on the first day of January in each succeeding year, call a meeting of the stock-holders, first giving them thirty days' notice thereof in one of the city papers, (except said first day shall come on a Sunday, when the meeting shall be on the second day of January,) at which time the stock-holders shall elect Directors for the ensuing year; and the Directors shall elect a President, and said officers shall hold their office for one year, or until their successors are duly elected.

Officers elect-
ed annually.

5. SEC. V. *Be it further enacted*, That the President and Direc-

Merchants Insurance Company of Columbus.

tors shall be elected from stock-holders in said Company, and that no person shall be eligible as a Director, except he owns in his own right fifty shares of the stock of said Company; and further, that there shall be one vote for each share, and that absent stock-holders may vote by proxy. Eligibility restricted.

6. SEC. VI. *Be it further enacted*, That said President and Directors shall have power to appoint and remove at pleasure, all officers or agents of said corporation, to prescribe their duties, take from them their bonds for their faithful performance thereof; to fill vacancies that may occur in their board, and appoint a President protem, in the absence of the President; and further, that said President and Directors shall have power, from time to time, to call for the payment of unpaid stock, in such sums as they may deem proper, and said stock shall be considered and held as personal property; and upon the neglect or refusal of any stockholder to pay the instalment on his stock as called for by the President and Directors, then upon ten days' notice being given in one of the city papers, said board may sell said stock at public outcry, and said delinquent stock-holder shall still be liable for the balance due or which may become due by him to said corporation, and may be sued therefor in any Court having jurisdiction; and said President and Directors shall have further power to make dividends, and fix the place and define the manner of paying the dividends, paying interest and transferring stock; and said President and Directors shall have the power to give the holders of the policies of said corporation the right to participate in the net profits of the corporation, to such extent, in such manner, and upon such terms, as they may deem proper. Power of President & Directors.
To appoint officers and fill vacancies.
To sell stock of delinquent stockholders.
Regulate dividends and transfer of stock.
Distribution of net profits.

7. SEC. VII. *Be it further enacted*, That said corporation shall have authority, to insure against losses by fire, in all kinds of property, either, real, personal or mixed, or choses in action; also, against all the hazards of ocean or inland navigation and transportation of any kind, as it may determine; and said corporation shall be liable to make good and pay to the several persons who may insure in said corporation, for the losses they may sustain in accordance only with the terms of the contract of policy issued by said corporation; and no policy or other contract of said corporation shall be binding, except it is signed by the President and Secretary of said corporation; and said corporation shall have power to receive money on deposit, to loan and borrow money, to take and give such securities therefor as may be considered best, to invest its money, and transfer its property at pleasure, to purchase and discount notes and bills of exchange, and do all other acts that it may deem advisable for the safekeeping and secure investment of its funds, *Provided*, That nothing herein contained shall be construed to authorize said corporation to make any note or bill to circulate as a bank bill, or to issue any security to be circulated as money; and it is further enacted, That said corporation shall have May take fire marine and inland risks of insurance.
When contracts are binding.
Power to receive deposits, borrow money, discount notes, &c.
Issuing bank bills prohibited.

power and authority to make re-insurance of any risk that may be taken by them.

Liability of
Company.
of Stock-
holders.

S. SEC. VIII. *Be it further enacted*, That said Company shall be responsible to its creditors to the extent of its property; and the stock-holders shall be liable to the extent of double the amount of their respective stocks for the debts of the Company, in proportion to the number of shares held by each.

Limitation of
charter.

9. SEC. IX. *Be it further enacted*, That this Charter and all the privileges and powers herein granted, shall continue in force for the term of thirty years from the first day of January, eighteen hundred and sixty-five.

Assented to November 14th, 1864.

TITLE V.

JUDICIARY.

SEC. 1 Adjournment of Supreme Court authorized. " 3 In certain cases, orders as to sessions may issue in vacation.
" 2 30 days published notice required. " 4 Writs of error, how returned.

(No. 6.)

An Act to regulate the sessions of the Supreme Court during the present invasion by the public enemy.

Precedible.

WHEREAS, The public enemy is now in possession of the city of Atlanta, is advancing towards the city of Macon, and probably Milledgeville, and these places may by possibility during the existing invasion, be placed within the enemy's lines:

And whereas, it is expedient and desirable, that the Supreme Court of this State should not be prevented from holding its sessions for the due administration of the laws of the State, by reason that the enemy is in possession of the three places to which its sittings are now confined by law.

Adjournment's
of Supreme
Court authorized.

1. SECTION I. *Be it therefore enacted by the General Assembly of the State of Georgia*, That the Supreme Court may adjourn its present session, to such times and such places during the present invasion of the State, by the army of the United States, as said Court may deem best for the interest of the people of this State; and that such adjourned sessions may also, be in like manner adjourned, so long as the business of the State requires it, and the invasion continues.

30 days published notice
required.

2. SEC. II. *Be it further enacted*, That thirty days notice of the place and time to which the Court shall be adjourned, shall be published by the Clerk of said Court, in one or more of the gazettes of this State.

Warehouse men of this State.

3. SEC. III. *Be it further enacted*, That if from any overruling cause, the members of said Court should be prevented from assembling at the time and place designated by them, at the close of any session of the Court, then the members of said Court, may in vacation, by their order, continue the session of said Court, to some other time and place, upon giving similar notice of said order in said gazettes.

In certain cases orders as to sessions of the Court may issue in vacation.

4. SEC. IV. *Be it further enacted*, That any new writs of error arising out of the Superior Courts of this State, during the continuance of such adjournment, may be returned to either of said sessions, as of the Milledgeville November term, 1864, adjourned as aforesaid, upon the usual proceedings being had, and notice given as required by law and the rules of Court.

Writs of error, how returned.

SEC. V. (Repeals all conflicting laws.)*

Assented to Nov. 18th, 1864.

* For changes in the Code, see APPENDIX, in which COMPILER is required to include all changes since its adoption.

TITLE VI.

RELIEF.

SEC. 1. Warehouse-men relieved from taxes on cotton stored in certain cases,* and on certain conditions.

(No. 7.)

An act for the relief of warehouse men in this State and for other purposes.

WHEREAS, several warehouse men in this State, under the direction of the Comptroller General of this State, have given in the number of bales of cotton in storage in their respective warehouses; And whereas, several warehouses have been consumed by fire before the parties owning said warehouses could ascertain the owners of the cotton stored with them, thus becoming liable for the taxes of the same; therefore,

Preamble.

1. SECTION I. *Be it enacted*, That whenever any warehouse man in this State, has made a return of the number of bales of cotton on storage in his warehouse, and owned and possessed by individuals other than himself, and has thereby become liable for the taxes on the same, and said cotton has been burned, that said warehouse man shall only be liable for the amount of taxes collected upon the same; and the Tax Collectors of their respective counties, are authorized to receive and receipt for the same, in lieu of the taxes assessed, any law, usage or custom to the contrary notwithstanding.

Warehouse-men relieved from taxes assessed on cotton stored in cases of fire, on certain conditions.

Approved Nov. 18th, 1864.

TITLE VII.

REVENUE.

SEC. 1. Per cent. of tax for 1865.

" 2. \$2000 exempt in certain cases, provided taxable property does not exceed \$10,000.

" 3. Commissions of Tax Receivers and Collectors, how graduated.

" 4. Goes into effect 1st January, 1865.

(No. 8.)

An Act to provide for raising revenue for the political year eighteen hundred and sixty-five; and for other purposes.

Per cent. of
tax for 1865.

1. SECTION I. *Be it enacted*, That it shall be the duty of the Governor and Comptroller General, in assessing the taxes for the ensuing year, to assess and have collected such per cent. as shall be sufficient to raise an amount of money, added to the other resources of the State, with other means provided, by this General Assembly, to support the Government for the political year eighteen hundred and sixty-five; *Provided*, that the amount raised shall not exceed one half of one per cent. upon the value of taxable property of this State, estimated in Confederate Treasury notes.

\$2,000 ex-
empt in cer-
tain cases,
provided tax-
able property
does not ex-
ceed \$10,000.

2. SEC. II. *Be it further enacted*, That of the property of all officers and soldiers in the service of the Confederate States for three years or during the war; and of the two regiments of the State Troops now enlisted for the war; of the widows and orphans of deceased soldiers, and widows and other females who have no husbands, whose sons are in the army upon whom they were dependent for support; of all disabled soldiers, whether rendered so by sickness, wounds or other causes while in said service; the sum of two thousand dollars be, and the same is hereby exempted from taxation under this Act;—*Provided*, that the exemption contained in this act shall not apply to persons whose taxable property exceeds the sum of ten thousand dollars.

Commissions
of Tax Re-
ceivers and
Collectors,
how gradu-
ated

3. SEC. III. *Be it further enacted*, That in the assessment and collection of the general State tax for eighteen hundred and sixty-five, no Receiver of Tax Returns or Tax Collector, shall receive more than fifteen hundred dollars commissions on said tax; that is to say, on all digests that net ten thousand dollars and under twenty thousand dollars, not more than six hundred dollars commissions shall be allowed to each officer; when the digest nets over twenty thousand dollars, and under forty thousand dollars, not more than eight hundred dollars shall be allowed each officer; that when the digest nets over forty thousand dollars and under sixty thousand dollars, not more than one thousand dollars shall be allowed each officer; when the digest nets over sixty thousand dollars, and under eighty thousand dollars, the amount allowed each officer shall not exceed twelve hundred dollars; and that when the digest nets over eighty thousand dollars, fifteen hundred dollars, and no more, shall be allowed each officer by the Comptroller General. *Provided*, that in all cases where the amount of the digest exceeds two

A levy *en masse* of the whole male population authorized.

hundred thousand dollars, the Tax Collector and Tax Receiver shall receive one half of one per cent. for such additional one hundred thousand dollars, and above that sum until the amount reaches one million dollars; and that in allowing these officers' commissions, the Comptroller General be directed to allow the commissions to each, according to the schedule in the Code, until the limits above stated as to commissions, are reached; after which the limits shall be the whole commissions allowed for each net digest specified in this section.

4. SEC. IV. *Be it further enacted*, That this Act shall go into effect on the first day of January, 1865. Goes into effect 1st Jan. 1865.

SEC. V. Repeals conflicting laws.

Assented to Nov. 18th, 1864.

TITLE VIII.

STATE DEFENCE.

- | | |
|---|---|
| <p>SEC. 1. Entire white male population between 16 and 55 years of age made subject to Governor's call.</p> <p>" 2. Volunteers may be accepted.</p> <p>" 3. Police regulations may be prescribed by Governor.</p> <p>" 4. Governor to confer with Confederate General in command.</p> | <p>SEC. 5. C. S. Rules and Articles of War to govern.</p> <p>" 6. Powers of Governor in force for 40 days.</p> <p>" 7. Enlistment of those engaged in the Legislative and Judicial Departments to be voluntary.</p> |
|---|---|

(No. 9.)

An act to authorize a levy en masse, of the population of Georgia for the protection of its liberty and independence.

WHEREAS, the Senate and House of Representatives of the State of Georgia, in General Assembly convened, have learned from a communication from His Excellency the Governor, that a large hostile force of the foe, whose presence has so long desecrated the soil of Georgia, has left Atlanta under the leadership of a General, whose past history is but a recital of every violation of civilized warfare, and a repetition of every outrage which links barbarism with the coarsest instincts of brutal nature, with the apparent intention of penetrating the heart of our noble old commonwealth; Preamble.
and whereas, in such an emergency it becomes a people who are determined to die freemen rather than to live slaves, to rise *en masse*, and offer on the altar of a common country, all the resources in men and money, which God, in his benevolence and wisdom, has placed at their disposal, for the vindication of their rights, their liberties and their honor; *therefore*, finding in the history of the past nothing to appall us, but on the contrary, every incentive to stimulate and press us forward to the achievement of a glorious independence by sundering the ties which once bound us to a near friendship to our vindictive foe:

1. SECTION I. *Be it enacted*, That the Governor be, and he is

A levy en masse of whole male population authorized.

Entire white male population between 16 and 45 yrs. of age made subject to Governor's call.

hereby authorized, during the emergency now arising out of the present invasion of the interior of our State by the armies of our barbaric foes, to summon to arms in the field, the entire white male population of the State, now residing or domiciled in the State, physically capable of bearing arms, between the ages of sixteen and fifty-five; and to compel their attendance, for the protection of our soil and the defence of our liberties.

Volunteers may be accepted.

2. SEC. II. *Be it further enacted*, That the Governor be authorized to accept volunteers, in such numbers and such organizations, and for such time, as in his discretion he may deem wise and prudent, during the present emergency, conforming as closely as circumstances will permit, to the existing militia organization of the State.

Police regulations may be prescribed by Governor.

3. SEC. III. *Be it further enacted*, That the Governor be authorized, during this emergency, to make such arrangements for police regulations in the different counties of this State, as in his judgment, the public safety may demand.

Governor to confer with Confederate General in command.

4. SEC. IV. *Be it further enacted*, That the Governor be requested and authorized, to confer with the General commanding the Confederate forces in Georgia, to the end that no detriment shall ensue to the due and necessary execution of Confederate and State laws, and the proper maintainance of the necessary interests of the State and Confederate Government; and that no one shall be relieved from duty under this Act, except for the purposes herein specified, during this emergency; so that the whole physical force which both governments can bring to the field, may be employed alike and in common, for the defence of State and Confederate independence.

G. S. Rules and Articles of War to govern.

5. SEC. V. *And be it further enacted*, That the persons called out under this Act, shall be subject, after said call, to all the rules and articles of war of the Confederate States; and on failure to report, shall be subject to the pains and penalties of the crime of desertion.

Powers of Governor in force for 40 days.

6. SEC. VI. *And be it further enacted*, That the powers conferred upon His Excellency the Governor by this act, shall continue in force for the period of forty days, and no longer, from and after the forces are called out under it.

Enlistment of those engaged in the Legislative & Judicial Departments, to be voluntary.

7. SEC. VII. *Be it further enacted*, That *whereas*, the Constitution has defined the co-ordinate branches of the government, to-wit; the Executive, Judicial and Legislative, and the powers of each; *and whereas*, one branch of the government should not be subject to the control of the others; *therefore*, it is provided, that the enlistment of those engaged in the Legislative and Judicial departments of the Government, shall not be compulsory, but voluntary.

SEC. VIII. Repeals conflicting laws.*

Asserted to Nov. 18th, 1864.

* NOTE.—The Supreme Court have made various decisions touching liability to service, State and Confederate, not bearing upon, or directly connected with the foregoing law, but the

Tax on incomes and profits

points settled here inserted for public information, from their general analogy to the subject matter of the law:

Jones vs Billingslea:—Jones vs Cutliff:—Habeas Corpus cases:—Persons exempt from Confederate service as managers of their own farms, are nevertheless, liable to serve in the State Militia.—*Macon, March term 1865.*

Leonard vs Acce:—Habeas Corpus:—A tax assessor of the Confederate States is exempt from military service in the Militia.—*Macon March Term 1865.*

White and Rowland vs Sellars:—Habeas Corpus:—A soldier cannot obtain his discharge from the army by hab-as corpus, because he has been elected and qualified as a Constable since he entered the service.—*Macon March Term 1865.*

Smith vs Marris—Morgan vs Bonham: Habeas Corpus:—Under the Act of Congress of Feb. 17, 1861, men between the ages of 17 and 50 years, and none others, are liable to military service; and a conscript in the reserve forces, who, since the passage of that act, has attained to the age of 50 years, may, if still held for service, be discharged by habeas corpus.—*Macon, March Term 1865.*

Parker vs Kaughman—Clark vs Brady: Habeas Corpus:—1. The power of Congress to raise armies by conscription is not restricted to men able for active service in the field, but extends to such also as, though unable for that service, are capable of performing the duties of "provost or hospital guard, or clerks, or clerks' guards, agents, employees or laborers in the commissary, quartermaster or ordnance departments, or of clerks or employees of navy agents, of the duties requisite in the execution of the enrollment Acts, or other similar duties." The 6th section of the Act of Feb. 17, 1864, entitled "An Act to Organize Forces to Serve During the War," is therefore constitutional.

2. In executing that section of the Act, it is necessary that the report of the Board of Surgeons should specify the particular duty for which each man is capable. A report in general, terms, that the conscript is fit for light duty, is not sufficient. In administering the military statutes of the country, a strict conformity to their provisions is requisite.—*Macon, March Term, 1865.*

Brock vs. McClusky—McLane vs. Collins: Habeas Corpus:—Soldiers belonging to the Confederate States Reserves, who are arrested for felony, by the civil authorities of the State, and admitted to bail, are liable to be ordered back to their command while-going at large, and to be put again on duty. Those cases are controlled in principle by the case of Alfred vs. Irwin, decided at Milledgeville, in November last.—*Macon, March Term 1865.*

Smith vs. Brooks:—Since the passage of the Act of Congress, entitled, "An Act to put an end to the exemption from military service of those who have heretofore furnished substitutes," it follows, that one who has put in a substitute is not entitled to his discharge from the custody of the Enrolling Officers, on that ground.—*Milledgeville, Nov. Term 1864.*

Dies vs. —A minor below the age of 17 years, not liable to military service, and who has volunteered into service, is notwithstanding, entitled to his discharge upon application by habeas corpus. He is incapable of giving his consent to a contract by which he would be bound.—*Milledgeville, Nov. Term 1864.*

Anslay vs. Starr:—A contractor to furnish the Confederate States with arms, is not exempt by reason thereof, from enrollment as a conscript.—*Milledgeville, Nov. Term 1864.*

Anderson vs. Store:—S. was enrolled as a conscript, and detailed to oversee his own plantation and negroes. The detail was subsequently revoked. S. was elected, commissioned and qualified as Justice of the Peace. Being ordered to report to the Camp of Instruction, preparatory to assignment to duty and mustering into service, he sued out a writ of habeas corpus to be discharged.—*Held*, that his election to the office of Justice of the Peace entitled him to a discharge, and that the Enrolling Officer had no right to detain him under the circumstances.—*Macon, March Term, 1865.*

TITLE IX.

TAXES.

SEC. 1. Income tax estimated by net income in purchase and sale of property.

" 2. Property relieved from tax when destroyed by the enemy or by order of commanding General.

" 3. Time extended for collecting tax.

" 4. Inferior Court in each county shall fix valuation of slaves between certain ages.

" 5. Valuation to be entered on minutes and copy sent to Comptroller General.

" 6. Comp. Gen. to consolidate and ascer-

tain average value of different ages, &c.; and notify Tax Receivers. Mechanics, how valued.

" 7. Tax payers to return a list of slaves by ages and sexes.

" 8. Unsound or crippled slaves not included, and how valued.

" 9. Additional oath in cases of unsound slaves.

" 10. Comp. Gen. shall send annually to Inferior Court printed copy of act and blank schedules.

Property destroyed by the public enemy—Time for collection of Taxes extended—Tax on Slaves:

(No. 10.)

An act declaratory of the true intent and meaning of an act, entitled An act to levy and collect a tax on net incomes and profits, assented to 14th Dec. 1863.

Income tax
estimated by
net income
in purchase
and sale of
property.

1. SECTION I. *Be it enacted, &c.,* That the true intent and meaning of the above recited act, was to levy and collect a tax on the net incomes and profits made in the purchase and sale of real and personal property; and that the Comptroller General is hereby directed to remit all taxes which have been assessed or collected, when satisfactory proof shall be made to the Comptroller General, that said tax has been assessed and collected contrary to this act.

SEC. II. Repeals conflicting laws.

Assented to Nov. 18th, 1864.

(No. 11.)

An act for the relief of Tax Payers, on property lost, destroyed or rendered valueless by the public enemy, or by order of the commanding Generals of the Confederate Army.

Property re-
lieved from
tax when de-
stroyed by
the enemy or
by order of
commanding
Generals.

2. SECTION I. *Be it enacted, &c.,* That all property lost, destroyed or rendered valueless by reason of the public enemy, or by order of the Commanding Generals of the Confederate Army, before the tax on it is paid, shall be relieved from taxation; *Provided*, the tax payer, in cases where the property has been given in, shall make oath that he has just reason to believe, and actually does believe, that the same was so lost, destroyed or rendered valueless by the public enemy, or by order of the Commanding Generals of the Confederate Army.

SEC. II. Repeals conflicting laws.

Approved Nov. 18th, 1864.

(No. 12.)

An act to extend the time for the collection of Taxes due by the citizens of this State, and for other purposes.

Time not ad-
ded for collect-
ing tax.

3. SECTION I. *The General Assembly of this State do enact, That* the time for the collection of the Taxes, and the settlement with the Comptroller General by the several Tax Collectors of this State, be extended to the first day of March next.

SEC. II. Repeals conflicting laws.

Assented to Nov. 14, 1864.

(No. 13.)

An act to equalize the tax on Slaves in the several counties in this State.

WHEREAS, From an exhibit in the Comptroller General's Report, it appears there is a great want of uniformity in the valua-

Equalization of Tax on Slaves.

tion of, or an inequality in, the tax paid on slaves in the several Preamble.
counties of this State; for the purpose, therefore, of equalizing as
far as possible, the tax on this class of property:

4. SECTION I. *The General Assembly of the State of Georgia do enact,* That from and immediately after the passage of this act, it shall be the duty of the Justices of the Inferior Court, or a majority of them, in the several counties in this State, to assemble at the Court House, on the first Monday in February, in each and every year, and place a valuation in Confederate money, for taxation, upon all sound slaves, according to their ages—that is to say: they shall first place the market value in Confederate Treasury notes, upon all—1st, slaves under two years of age; 2d, all from two to six; 3d, all from six to twelve; 4th, all from twelve to sixteen; 5th, all from sixteen to twenty-five; 6th, all from twenty-five to thirty-five; 7th, all from thirty-five to forty-five; 8th, all from forty-five to fifty-five; 9th, all from fifty-five to sixty-five. When the slaves are of the age of sixteen or upwards, the classification of the value of the males and females shall be separate. Infer. Court shall fix valuation of slaves between certain ages.

5. SEC. II. *Be it further enacted,* That when the Inferior Court shall have placed the value upon slaves as directed in the foregoing section, they shall enter the same upon the minutes, and immediately send the copy of the same to the Comptroller General's office, at Milledgeville. Valuation to be entered on minutes and copy sent to Comp. Genl.

6. SEC. II. *Be it further enacted,* That on or immediately after the first Monday in March, in each and every year, the Comptroller General shall examine the returns of the Justices of the Inferior Courts, assessing the value on slaves according to age, as directed by this Act; and after noting and consolidating all the returns received for each age, shall ascertain the average value throughout the State, placed upon each age, as is hereinbefore enumerated; and shall embrace a statement of such valuation in his annual circular to the Receivers of Tax returns, with the average value throughout the State so ascertained, which shall be deemed and held to be the value of each sound slave in this State, of the different ages named; except as to mechanics, all body servants, coachmen or seamstresses. In all cases where any slave shall be a mechanic following his trade, an additional value of fifty per cent. shall be placed upon the same by the Receiver of Tax Returns. Comp. Genl. to consolidate and ascertain average value of different ages and notify Tax Receivers. Mechanics, how valued.

7. SEC. IV. *Be it further enacted,* That all persons, hereafter in returning slaves for taxation, be requested to furnish the Receiver of Tax Returns with a list containing the ages of his, her, or their slaves and their sexes, when any portion of this Act requires the distinction to be made; and that the Receiver of Tax Returns be, and he is hereby directed to place such valuation upon the same, as is furnished him by the Comptroller General, in compliance with this Act; except such as are mechanics following Tax payers to return a list of slaves by ages and sexes.

Equalization of Tax on Slaves.

their trade; upon which he shall place an additional value of fifty per cent.

Unsound or
crippled slave
not included,
and how val-
ued.

8. SEC. V. *Be it further enacted*, That Receivers of Tax Returns, in assessing the value as directed in the foregoing section, shall not include any unsound or crippled slaves in such valuation; if objected to by owner, agent, or person making the return; but such owner, agent, or person making said return, shall be permitted or be requested to swear to the unsoundness or deformity of said slave or slaves, and also swear to their true value.

Additional
oath in cases
of unsound
slaves.

9. VI. *Be it further enacted*, That in case any tax payer shall have in his, her or their schedule of slaves, any unsound or deformed slave or slaves, which he, she or they object to being valued at the regular valuation, he, she or they shall be required to take, in addition to the usual oath, the following oath, viz: You do further swear (or affirm, as the case may be,) that the slave (or slaves) that you now object to being valued as other slaves are valued, is (or are) unsound in health or deformed, and is (or are) not worth as much as other slaves of like age, and that said slave (or slaves) is (or are) not worth more than the valuation placed upon the same.

Comp. Genl.
shall send an-
nually to In-
ferior Courts
printed copy
of Act and
blank sched-
ules.

10. SEC. VII. *Be it further enacted*, That it shall be the duty of the Comptroller General, on or before the fifteenth of January in each and every year, to have printed, and he shall send to the Justices of the Inferior Courts, in the form of a circular, a copy of this Act, together with a blank and schedule to be filled up and signed by the Justices of the Inferior Court, and return to the Comptroller General's office, showing the assessment of valuation by the said Justices; according to the herein enumerated ages of slaves.

SEC. VIII. Repeals conflicting laws.

Approved Nov. 18th, 1864.

PART II.

PRIVATE AND LOCAL LAWS.

- TITLE I.—CITIES.
“ II.—COUNTY LINES.
“ III.—ROADS.

PART II. LOCAL AND PRIVATE LAWS.

TITLE I.

CITIES.

- | | |
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| <p>Sec. 1. Mayor and Council of Columbus authorized to increase license rates of retailing liquors, running Drays, Express wagons, and practicing professions in said City.</p> <p>2. Elections of Marshal, Dept. Marshal &c., held like the Mayor's.</p> | <p>3. Erecting of Market House in City of Columbus, authorized. Proviso.</p> <p>4. Sales of produce by retail, except at Market House within market hours, may be prohibited by Mayor and Council.</p> <p>5. Applies only to usual retail dealers.</p> |
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(No. 14.)

An Act to amend the Charter of the City of Columbus, and to change the place of holding elections for certain city officers in said city.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Mayor and Council of the city of Columbus shall be, and they are hereby authorized and empowered, to increase the price for any license, to retail spirituous liquors; to run any drays or express wagons; or for the practice of any profession or pursuit, for which a license is now required by the ordinances of said city, to such sums as in their discretion may be proper and just.

Mayor and Council of Columbus authorized to increase license rates of retailing liquors, running drays & Express wagons, and practicing professions in said City.

2. SEC. II. *Be it further enacted,* That the elections for Marshal, Deputy Marshal, Sexton and Clerk of Council of said city of Columbus, shall be held at the same place, and in the same manner, as the election for Mayor of said city is now held. This act shall take effect from date of its passage.

Elections of Marshal and Dept. Marshal, shall be held like the Mayor's.

Of force at once.

SEC. III. Repeals conflicting laws.

Assented to Nov. 18th, 1864.

(No. 15.)

An Act to authorize the Mayor and Council of the City of Columbus to erect a Market House in one of the streets of said City; and to pass ordinances to establish and regulate a public Market in said city.

3. SEC. I. *Be it enacted,* That the Mayor and the Council of the city of Columbus shall be, and they are hereby authorized and empowered, to erect a Market House, to be used as a public Market, in any one of the streets in said city; *Provided,* sufficient space be left upon either side of said Market House, to allow the free

Erection of Market house in City of Columbus authorized.

Line between Muscogee and Chattahoochee, defined.

and easy passage of vehicles in the ordinary travel along such street.

Proviso.

Sales of produce by retail, except at Market house within market hours may be prohibited by Mayor and Council.

4. SEC. II. *Be it further enacted*, That in order to enable the Mayor and said Council to establish a public Market in said city, the said Mayor and Council are hereby authorized and empowered, to prohibit the sale by retail, of such fresh meats and vegetables as are usually sold in a public Market, at any other place in said city, except at the Market House, until after the usual market hours; and to impose such penalties upon offenders, as upon other offenders against the ordinances of said city.

Applies only to usual retail dealers.

5. SEC. III. *Be it further enacted*, That no person shall be punished for any violation of an ordinance passed under and by virtue of the second section of this Act, except such persons as shall usually bring marketable articles for sale in said city by retail at the Market House; and that this act take effect from and immediately after its passage.

SEC. IV. Repeals conflicting laws.

Assented to Nov. 17th, 1865.

TITLE. II.

COUNTY LINES.

SEC. 1. County line between Muscogee and Chattahoochee defined. SEC. 2. Lots in Paulding added to Carroll.

(No. 16.)

An Act to define the line between the counties of Muscogee and Chattahoochee.

County line between Muscogee and Chattahoochee defined.

1. SEC. I. *Be it enacted by the General Assembly of the State of Georgia*, That the line between the counties of Muscogee and Chattahoochee shall be defined to be, the center of the Upatoi Creek, from the Chattahoochee River up said creek to the original line of Talbot county, except lots of land numbers eighty-two, eighty-three, eighty-four, eighty-five, one hundred and one hundred and two, and parts of lots eighty-six and one hundred and three, formerly owned by John W. Woolfolk deceased.

SEC. II Repeals conflicting laws.

Assented to Nov. 18th, 1864.

(No. 17.)

An Act to add certain lots of land therein named, in the county of Paulding to the county of Carroll and for other purposes.

2. SEC. I. *Be it enacted*, That lots of land numbers sixteen and seventeen (16 17,) one hundred and forty-eight and one hundred

Road Commissioners in Lincoln County.

and forty-nine, and fractional lots, numbers one hundred and sixty-one and one hundred and sixty-two, all in the first district and third section of original Cherokee, but now Paulding county Georgia, be added to the county of Carroll.

Lots in Paulding added to Carroll.

Assented to Nov. 17th, 1864.

TITLE III.

ROADS..

SEC. I. Certain Road Laws repealed as to Lincoln county.

(No. 18.)

An Act to repeal an Act entitled, an Act to alter and amend the Road Laws of this State, in reference to the time of assembling of Road Commissioners to hear and determine upon excuses rendered by defaulters and by overseers, so far as respects the county of Lincoln,

1. SEC. I. *The General Assembly of the State of Georgia do enact,* Certain road laws repealed as to Lincoln county.
That the above recited act be, and the same, is hereby repealed.

Assented to Nov. 14th, 1864.

RESOLUTIONS

ADOPTED BY

THE GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA,

AT AN

ANNUAL SESSION IN 1864.

- | | |
|--|--|
| No. 1. Observance of a National day of prayer. | No. 8. Collection of taxes postponed in counties overrun. |
| No. 2. Recommended that C. S. four per cent. bonds, and certificates for produce, be received for taxes. | No. 9. Passage of bills on first reading authorized. |
| No. 3. Mail route recommended. | No. 10. Respect to the memory of the Hon. Jefferson Adams. |
| No. 4. Mail route recommended. | No. 11. Respect to the memory of the Hon. Simpson Reid. |
| No. 5. State Treasurer authorized to count and burn change bills and Treasury notes. | No. 12. Respect to the memory of John H. Johnson. |
| No. 6. State Treasurer authorized to remove public money and papers. | No. 13. Mail route recommended. |
| No. 7. Commutation of tax in kind in counties overrun, recommended. | |

(No. 1.)

A Resolution providing for the appointment of a joint Committee to make arrangements for the observance of a national day of Prayer.

WHEREAS, The President of the Confederate States has issued his Proclamation setting apart Wednesday, the 16th of November instant, as a day of general religious observance; *And whereas,* it is proper that this General Assembly should respond publicly to the same; Therefore be it

Resolved by the Senate and House of Representatives, That a Committee of both Houses of the General Assembly be appointed by their respective branches, to make suitable arrangements for the solemn observance of said day, in accordance with the request of the President.

Approved November 10th, 1864.

(No. 2.)

Requesting
that four per
cent bonds
& certificates
for produce
be received
for taxes.

Resolved by the General Assembly of the State of Georgia, That our Senators and Representatives in the Confederate Congress be, and are hereby requested, to use their influence to procure the passage of a law, making four per cent Confederate bonds permanently receivable in payment of taxes due to the Government; and also the certificates of indebtedness given in exchange for produce and other property, receivable in payment of taxes.

Copy of Res-
olutions to be
furnished our
members in
Congress.

2d. That the Governor be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Approved November 11th, 1864.

(No. 3.)

Mail route
from Quit-
man to Moul-
trie, to be
opened.

Be it resolved by the General Assembly of the State of Georgia, That our Senators and Representatives in Congress be requested to use their influence to have a weekly Mail route established from the town of Quitman in Brooks county, by the way of Tallokas in said county, and James Robinson's in Colquitt county, to the town of Moultrie in the latter county.

Copy of Res-
olutions to be
forwarded.

2nd. *Resolved, That His Excellency the Governor be instructed to transmit a copy of these resolutions to our Senators and Representatives in the Confederate Congress.*

Assented to November 14, 1864.

(No. 4.)

A Resolution requesting the discontinuance of the present tri-weekly Mail route from Cedartown in Polk county, to Rome, Floyd county; and the establishment in lieu thereof, of a daily Mail route from Cedartown to Cave Springs.

WHEREAS, The Mail facilities of the citizens of Polk county, would be greatly increased by the discontinuance of the present tri-weekly Mail route from Cedartown to Rome, the distance being twenty miles, and the establishment in lieu thereof, a daily Mail route from Cedartown to Cave Springs, the distance being only eight (8) miles, and there intersecting a regular daily Mail line:

Requesting
establishment
of mail route
from Cedar-
town to Cave
Springs.

Therefore be it resolved by the General Assembly of the State of Georgia, That our Senators and Representatives in Congress be instructed and requested to use their influence to procure the discontinuance of the present tri-weekly Mail route from Cedartown to Rome, in this State, and the establishment in lieu thereof, of a daily Mail route from Cedartown to Cave Springs.

Assented to November 14, 1864.

(No. 5.)

A Resolution authorizing the State Treasurer to burn certain funds.

Printed by

WHEREAS, a joint Resolution has just been adopted, authorizing the Treasurer of this State to remove the public funds, and papers

Removal of State Treasury to a place of safety—Destitute Counties.

of importance to a place of safety; and whereas, a large amount of change bills and State Treasury Notes of great bulk, and troublesome of transportation, are accumulated in the Treasury,

State Treasurer authorized to count and burn change bills and Treasury notes.

Therefore, resolved by the House of Representatives, the Senate concurring, That the Treasurer is hereby authorized to count and burn, in the presence of any three or more honorable gentlemen, being Judges of the Supreme Court, Judges of the Superior or Inferior Court, Bank or County officers, or State House officers, such amount of said change Bills and Treasury Notes, as he may think proper; and the certificate of the gentlemen so witnessing said counting and burning, shall be the voucher of the Treasurer for the amount so destroyed, and entitle him to a warrant for said amount, on presentation to the Executive Department.

How counted.

Warrant to issue.

Assented to November 18, 1864.

(No 6.)

Resolved by the General Assembly of the State of Georgia, That John Jones, Treasurer, be and he is hereby authorized and required, to take such steps as he may deem necessary, to convey the public money and important papers connected with his office, to some place of safety.

State Treasurer authorized to remove public money and papers.

Approved November 17th, 1864.

(No 7.)

Resolutions requesting His Excellency the Governor, and our Senators and Representatives in Congress, to use their influence to procure an order from the Secretary of War to allow the Inferior Courts in this State, to commute and purchase the corn and other provisions collected as tax in kind for the use of Soldiers families, refugees, exiles and indigent poor of their respective counties.

WHEREAS, in many counties in this State the crops of corn and other provisions were cut short by the heavy protracted rains in the spring, followed by a long and severe droughth in the summer; And whereas, many other counties have been occupied and overrun by both our armies and the public enemy, each foraging in turn, consuming and destroying the provisions and crops, and taking and carrying off the farm stock, so that by the unfavorableness of the seasons, and the devastation of the armies, in many counties in this State, the families of soldiers, refugees, exiles and indigent poor must necessarily be subjected to great and extreme suffering, if the little surplus produced by the few, and more fortunate planters in those counties, should be collected and carried away under the tithing laws:

Preamble.

Therefore be it resolved by this General Assembly, That His Excellency the Governor, and our Senators and Representatives in Congress, be, and are hereby requested, to apply to the Secretary of War, and use their influence to have an order issued, directing the Collectors of Tax in Kind to turn over and commute to the Jus-

Our Senators and Representatives requested to have an order passed & commutation of tax in kind in counties overrun.

Suspension of the collection of Taxes, in certain cases.—Death of Hon. Jefferson Adams.

tices of the Inferior Courts, in counties where the provision crops are short, or the provisions have been devoured and destroyed by the armies, as stated in the foregoing preamble, to such an extent as to subject the people to want and suffering, so much of the provisions of the tax in kind, as the Inferior Courts will certify to His Excellency, to be absolutely necessary for the support of soldiers' families, refugees, exiles and the indigent poor, in their respective counties, upon the payment by said Courts for the tax in kind, in money, and the cost of collecting the same.

Resolutions
to be forward
ed.

2nd Resolved, That His Excellency the Governor be requested to forward a copy of these resolutions and preamble to the Secretary of War, and each of our Senators and Representatives in Congress.

Assented to November 18, 1864.

(No. 8.)

Resolution to suspend the collection of Taxes, in certain cases.

Collection of
taxes postponed in
cases overrun.

Resolved, &c., That, in all such counties as have been overrun by the public enemy, and by reason whereof, the Receivers and Collectors of Tax have not been able to complete their books, and to collect the taxes of said counties, the collection of taxes be suspended for the present year, 1864, and until a reasonable time for the same to be done; and that the Comptroller General be instructed not to enforce the Collectors in said counties to collect the same, until a reasonable time after they may have been freed from the enemy, for them to make their collections and returns.

Assented to November 18th, 1864.

(No. 9.)

A Resolution to facilitate the business of the present session.

Passage of
bills on first
reading au-
thorized.

Resolved, That in the judgment of the General Assembly, in view of the invasion of the State, the emergency has arisen, in which the General Assembly may pass bills upon the first reading, under the Constitution.

Assented to November 18, 1864.

(No. 10.)

Resolutions in relation to the death of the Honorable Jefferson Adams, late Senator from the 28th District.

WHEREAS, since the last session of the General Assembly, the Honorable Jefferson Adams, late Senator from the 28th District, has been called away from time, to experience the solemn realities of the future state: And, whereas, it is due to his memory, that this body should give expression to the sorrow it feels over their sad bereavement: Therefore be it

Death of Hon. Simpson Reid—Death of Hon. John H. Johnson.

Resolved by the Senate, That we have heard with profound regret of the death of the Honorable Jefferson Adams, late Senator from the 28th District, and heartily sympathise with his sorrowing family over their sad bereavement.

Resolved, That in the death of the Honorable Jefferson Adams, this body is deeply impressed with the loss of his valuable counsels as a legislator, and his companionship as an honorable and courteous christian gentleman.

*Resolutions
respect to the
memory of
Jefferson Ad-
ams.*

Resolved, That a copy of the foregoing resolutions be signed by the President and Secretary of the Senate, and be transmitted to the family of the deceased.

Adopted November 8, 1864.

(No. 11.)

Resolutions in relation to the death of the Hon. Simpson Reid, late Senator from the 40th district.

WHEREAS, It has been announced that the Hon. Simpson Reid departed this life on the——day of May 1864 ;

Resolved by the Senate, That it is with heartfelt sorrow, we have learned of the death of the Hon. Simpson Reid, Senator from the 40th Senatorial district ; That we tender our warmest sympathies to the family of the deceased, in their sad bereavement.

*Resolutions
of respect to
the memory
of Hon. Simp-
son Reid of
40th Senate-
rial district.*

Be it further resolved, That in the death of the Hon. Simpson Reid, the Senate has lost a most useful and valuable member ; his district a noble Representative, and the State a good and patriotic citizen.

Resolved further, That a copy of these Resolutions be sent to the family of the deceased, by the Secretary of the Senate.

Adopted November 8, 1864.

(No. 12.)

Resolutions in relation to the death of the Hon. John H. Johnson, late Senator from the 36th Senatorial district.

WHEREAS, During the present Session of this General Assembly, the Hon. John H. Johnson, late Senator from the 36th Senatorial district, has been called from time, to experience the solemn realities of the future state : *And whereas*, it is due to his memory that this body should give expression to the sorrow it feels over this sad bereavement ; therefore, be it

Resolved by the Senate, That we have heard with profound regret the death of the Hon. John H. Johnson, late Senator from the 36th district, and heartily sympathise with his sorrowing family in their sad bereavement.

*Resolutions
of respect to
memory of
Hon. H. John-
son.*

Resolved further, That in the death of the Hon. John H. Johnson, this body is deeply impressed with the loss of his valuable counsels as a legislator, and companionship as an honorable and courteous gentleman, and his district a noble Representative, and the State a good and patriotic citizen.

Mail Route from Elberton to Hartwell.

Resolved further, That a copy of these resolutions be transmitted to the family of the deceased, by the Secretary of the Senate.

Adopted November 17, 1865.

(No. 13.)

Tri-weekly
mail from El-
berton to
Hartwell re-
commended.

1st. Resolved by the General Assembly of the State of Georgia, That our Senators and Representatives in Congress be, and they are hereby requested to use their influence to have established a tri-weekly Mail route from Elberton by Webster place and Teasely in Elbert county, by Bio to Hartwell, in Hart county.

Copy of Res-
olutions to be
forwarded.

Resolved, That His Excellency the Governor be requested to forward a copy of this resolution to our Senators and Representatives in Congress, and urge upon them the necessity of establishing said Mail route.

Assented to November 17, 1864.

A C T S
OF
THE GENERAL ASSEMBLY
OF
THE STATE OF GEORGIA,
PASSED IN
M A C O N,
AT THE
CALLED SESSION
IN
February and March,
1865.

PUBLISHED BY AUTHORITY.

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1872

THE GENERAL ASSEMBLY

OF THE STATE OF GEORGIA

1872

IN SENATE

January 1st 1872

REPORT

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PASSED BY THE

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OF THE

GENERAL ASSEMBLY OF 1865.

PART I.---PUBLIC LAWS.

TITLE I.

APPROPRIATIONS.

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(No. 19.)

An Act supplemental to an act assented to November 1864, to provide for raising a revenue for the political year 1865, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes.

1. SECTION I. *The General Assembly of the State of Georgia do enact, That the sum of fifty dollars, per day, be paid to each, the*

President of the Senate and Speaker of the House of Representatives, during the present extraordinary session of the General Assembly; and the sum of five dollars for every twenty miles of travel, going to and returning from the city of Macon, the distance to be computed by the nearest route usually travelled; and that the sum of thirty dollars each, per day, be paid to the Members of the General Assembly, during this session, and five dollars for every twenty miles of travel, going to and returning from the city of Macon, under the same rules which apply to the President of the Senate and Speaker of the House of Representatives; *Provided*, That no member of the General Assembly shall receive pay for the time he may be absent, unless his absence was caused by the sickness of himself or family, or he had leave of absence granted by the Senate or House of Representatives, for satisfactory reason, or after a member shall have obtained leave of absence for the remainder of the session.

2. SEC. II. *And be it further enacted*; That the Secretary of the Senate be paid four hundred and thirty-seven 50-100 dollars per day, for the present session; and the Clerk of the House of Representatives be paid five hundred dollars per day, for the present session; out of which sums they shall pay all their assistants and sub Clerks; *Provided*, That no warrant shall be issued in favor of either, until His Excellency the Governor shall have satisfactory evidence, that they have carefully marked and filed away all reports of standing committees, and all other papers of importance connected with either House; and the sum of three hundred dollars, or so much thereof as may be necessary, is hereby appropriated to the Secretary of the Senate, to defray the contingent expenses of his office during the present extraordinary session of the General Assembly; and the sum of eight hundred dollars is hereby appropriated to the Clerk of the House of Representatives, to defray the contingent expenses of his office, during the present extraordinary session of the General Assembly.

3. SEC. III. *And be it further enacted*, That the sum of thirty dollars each, per day, is hereby appropriated to pay the Messenger and Door-Keeper of the Senate and House of Representatives at the present session, and the sum of five dollars for every twenty miles of travel, in going to and returning from the city of Macon, the distance to be computed by the nearest route usually travelled; and the sum of ten dollars per day, be paid the Messengers and Doorkeepers of the Senate and House of Representatives, to pay the negro hire of their respective houses; and the sum of twenty-five dollars *per diem*, each, be appropriated to pay the clerks of the Finance and Judiciary, and Military committees of the Senate during the present Session; *Provided*, That they be paid for the days actually employed, which days shall be certified to by the Chairman of the respective committees; And the sum of twenty dollars *per diem* be paid to the page of the House of Representatives, Iver-

Lunatic Asylum—Institution for the Blind—Military Fund—Book Keeper of the Penitentiary.

son L. Hunter, as his compensation for his services during the present session of the General Assembly.

4. SEC. IV. *Be it further enacted*, That the sum of fifteen hundred dollars be, and the same is hereby appropriated, in additional to the salary now fixed by law, to pay the Superintendent and resident Physician of the Lunatic Asylum for the year 1865; and that the sum of ten thousand dollars be, and the same is hereby appropriated, in addition to the sum now allowed by law, to pay the Trustees, Treasurer, sub-officers, Attendants and servants hire, of the Lunatic Asylum, for the year 1865; and that the sum of fifty thousand dollars, in addition to the sum heretofore appropriated, is hereby appropriated for the support of the pauper patients in the Lunatic Asylum, for the year 1865.

Additional salary to Supt. of State Lunatic Asylum.

Increased pay to Trustees, Treasurer, sub-officers, &c.

Additional for support of pauper patients.

5. SEC. V. *And be it further enacted*, That the sum of six thousand dollars, in addition to the sums already appropriated, is hereby appropriated for the support of the Institution for the Blind, for the year 1865.

Additional for Institution for the Blind.

6. SEC. VI. *And be it further enacted*, That the sum of four thousand eight hundred dollars, or so much thereof as may be necessary, is hereby appropriated to pay for stationery, fuel, and lights furnished by the Secretary of State, during the present extraordinary session of the General Assembly.

To pay Sec'y. of State for fuel, stationery, &c. at extra session.

7. SEC. VII. *And be it further enacted*, That the sum of three millions dollars, or so much thereof as may be necessary, be appropriated as a Military Fund for the year 1865, which shall be applied solely to the payment for subsistence, clothing and transportation, and Medical supplies, for Soldiers in the field.

Military fund increased.

8. SEC. VIII. *And be it further enacted*, That the sum of twenty-five hundred dollars, be, and is hereby appropriated, to pay the salary of the Book-keeper and Salesman of the Penitentiary, for the year 1865; and the sum of two thousand five hundred dollars to pay the salary of the head tanner of the Penitentiary for the year 1865.

Salary of Book-keeper and Salesman of Penitentiary.

Head tanner of same.

9. SEC. IX. *Be it further enacted*, That the sum of twenty-seven dollars be appropriated to pay Jesse Oslin, Messenger of the House of Representatives, for his expenses on a trip to Milledgeville from this place and back again, to get Laws and Journals for the use of the House of Representatives.

To Jesse Oslin for traveling expenses.

10. SEC. X. *And be it further enacted*, That the sum of two hundred dollars is hereby appropriated to pay C. W. Mabry, James Polk, T. Kirby, D. H. Walker, and J. M. Smith, committee appointed to visit Milledgeville to make a report upon the condition of the State Penitentiary; also, the further sum of eighty dollars for the pay of the Clerk of said committee.

Committee on Penitentiary.

Clerk of Committee.

11. SEC. XI. *And be it further enacted*, That the sum of twenty-one thousand, nine hundred and fifteen dollars, be, and the same is hereby appropriated, the balance due the Quartermaster General's Department for spun yarns, purchased and distributed to the families of soldiers, under a resolution of the General Assembly,

To pay balance due the Quartermaster General's Department for purchase of spun yarn.

State House Officers.—Repairs on State House and Executive Mansion.

directing such purchase and distribution, for which no appropriation has been made.

12. SEC. XII. *And be it further enacted*, That the sum of seven hundred dollars, be, and the same is hereby appropriated, to each, the Secretaries, (two in number,) and the Recording Clerk of the Executive Department, to pay their expenses, incurred by being required to come to Macon, during the present session of the General Assembly.

13. SEC. XIII. *Be it further enacted*, That the sum of five hundred dollars be allowed the Adjutant and Inspector General; five hundred dollars to the Assistant Adjutant General, and five hundred dollars to the Clerk of the Adjutant General, to defray their expenses during the present session of the General Assembly; and the sum of three hundred dollars be appropriated to pay the Rev. Dr. Wills, Chaplain of the Senate, which shall be paid by the Treasurer, when an account shall be audited by one of the auditing committee of the Senate.

14. SEC. IV. *Be it further enacted*, That the sum of seven hundred dollars each, or so much thereof as may be necessary, be appropriated to pay the expenses of of the Treasurer, Secretary of State and Comptroller General, while detained in the city of Macon, in attendance on the General Assembly.

15. SEC. XV. *Be it further enacted*, That the several sums appropriated in the preceding sections of this bill, be paid in Confederate Treasury Notes, except mileage due, to members of the General Assembly, which shall be paid in eight per cent Georgia Treasury Notes, unless otherwise therein provided.

16. SEC. XVI. *And be it further enacted*, That the sum of fifty dollars, in Georgia Treasury Notes, be appropriated to R. B. Knight, for services rendered as Clerk of the Conference committee, on the bill to re-organize the Militia of the State of Georgia, passed 14th Dec'r 1864, which sum was appropriated but not drawn, and thereby reverted back to the Treasury.

17. SEC. XVII. *And be it further enacted*, That the sum of two thousand dollars, or so much thereof as may be necessary, is appropriated to defray expenses incurred in repairing and fitting up the Halls used, at the present session, and the Governor is authorized to draw his warrant on the Treasury, to pay for said expenses.

18. SEC. XVIII. *And be it further enacted*, That the sum of eleven thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay for repairs on State House and Executive Mansion, made necessary by depredations on the same by the public enemy, and the Governor is authorized to draw his warrant on the Treasury for said sum, or so much thereof as may be necessary, to pay for said repairs.

Assented to March 11th, 1865.

To pay Secretaries Ex. Dept. for expenses of extra session.

To defray expenses of Adjutant Genl. his Assistant and Clerk expenses at Macon.

Chaplain of Senate.

Expenses of Treasurer, Secretary of State and Comp. Genl. at extra session.

Forgoing appropriations to be paid in Confederate notes.

Mileage copied.

To R. B. Knight as Clerk of Military Committee.

For fitting up Halls for extra session.

Repairs of State House and Ex. Mansion.

Stay Law re-enacted—Time for redemption of State Treasury Notes extended.

TITLE II.

BANKS AND BANKING.

- | | |
|---|--|
| <p>Sec. 1. Relief to Banks extended, and stay law re-enacted.</p> <p>" 2. Exceptions made.</p> <p>" 3. Of force at once.</p> <p>" 4. Time extended for redemption of State Treasury Notes.</p> <p>" 5. Faith of the State pledged.</p> <p>" 6. Treasury certificates authorized for certain Treasury Notes.</p> <p>" 7. Sanction given to the removal of the office of Central R. R. and Banking Co. from Savannah to Macon. Shall remain in Macon for the present.</p> | <p>Sec. 8. Two Directors may transact business.</p> <p>" 9. Two of the Directors holding over may order an election for new Directors. New Directors may choose President.</p> <p>" 10. Geo. R. R. and Banking Co. authorized to use its corporate name in all suits and proceedings necessary to close its business. In the meantime may loan on certain conditions. Issuing notes prohibited.</p> <p>" 11. Relief to Banks extended. Stay law re-enacted.</p> <p>" 12. Of force at once.</p> |
|---|--|

(No. 20.)

An Act to continue in force the fourth section of an Act passed over the Governor's veto, on the 30th day of November, 1860, entitled an Act to provide against the forfeiture of the several bank charters of this State, on account of non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State for non-payment of specie, and for other purposes; and also an act to add a proviso to the fourth section of an Act entitled an Act for the relief of the people and banks of this State, and for other purposes, passed on the 30th of November, 1860, and to add an additional section to said Act, assented to December 20th, 1860.

1. SECTION I. *Be it enacted, &c., That the above recited Act, and the above recited parts of an Act, be, and the same are hereby re-enacted; and shall remain in force during the continuance of the present war.* Relief to Banks extended, and Stay Law re-enacted.

2. SEC. II. *Be it further enacted, That the provisions of this Act shall not apply to defendants who are not in the army of the Confederate States, when plaintiffs are willing to take Confederate money.* Exceptions made.

3. SEC. III. *Be it further enacted, That this Act shall go into effect and be in force from and after its passage.* Of force at once.

SEC. IV. Repeals conflicting laws.

Assented to 9th March, 1865.

(No. 21.)

An Act to extend the time for the redemption of the State Treasury Notes issued under an Act passed Dec. 12th, 1863, and amended March 17th, 1864, and for other purposes.

4. SECTION I. *The General Assembly of the State of Georgia do*

Time extended for redemption of State Treasury notes. *enact*, That the time for the redemption of the State Treasury Notes issued under an Act passed December 12th, 1863, and amended March 17th, 1864, shall be extended to the 25th day of March, 1866.

Faith of the State pledged 5. SEC. II. *And be it further enacted*, That the good faith of the State is pledged for the redemption of said Treasury Notes, upon the terms mentioned in said Notes and the provisions of this amended Act.

SEC. III. Repeals conflicting laws.

Approved March 9th, 1865.

(No. 22.)

An Act to amend an Act of the fourteenth of December, eighteen hundred and sixty-three, authorizing the Treasurer to issue Certificates of Deposits for certain Treasury Notes.

Treasury certificates authorized for certain Treasury notes. 6. SECTION I. *The General Assembly of Georgia do enact*, That the above recited Act be so amended, as to authorize the Treasurer to give Treasury Certificates in like manner, for the Treasury Notes authorized to be issued by Act of November, eighteen hundred and sixty-four, for the payment of the officers and Members of the General Assembly, and the other civil officers of the State.

SEC. II. All conflicting laws are hereby repealed.

Assented to 7th March, 1865.

(No. 23.)

An Act to alter and amend the Charter of the Central Railroad and Banking Company of Georgia, to provide for the election of Directors of said Company, and a President thereof for the present year, to change and establish the principal office of said Company, to fix the number of Directors necessary for a quorum to transact business, and for other purposes relating to said Company.

Sanction given to the removal of the office of Central Railroad & Banking Co. from Savannah to Macon. WHEREAS, by reason of the proximity of the enemy to the city of Savannah, and their occupation of said city in the month of December last, it was not possible to hold an election for Directors of the said Company, on the first Monday in January last, whereby the persons chosen as Directors and President, and elected for the year eighteen hundred and sixty-four, now, under said charter hold over: *And, whereas*, a majority of said Directors are still absent at Savannah: *And, whereas*, the books and effects of said Company have been removed to Macon for safety:

7. SECTION I. *Be it enacted, &c.*, That the removal of the assets, books and effects of said Company, from Savannah to Macon, is hereby sanctioned and made lawful; and that the principal office of said Company shall hereafter, and as long as Savannah is occupied by the enemy, be at the aforesaid city of Macon.

Two Directors may transact business. 8. SEC. II. *And be it further enacted*, That hereafter, and so long as the enemy shall occupy Savannah, any two Directors of said Company, so now holding over as aforesaid, or who may be

Georgia Railroad and Banking Company.—Relief to Banks extended.

hereafter elected, may constitute a quorum to transact business of the said Company.

9. SEC. III. *And be it further enacted*, That it shall be lawful for any two of the Directors of said Company, now holding over as aforesaid, to order an election of Directors for the present year, eighteen hundred and sixty-five, to be held at the city of Macon, on sixty days public notice in one or more of the public gazettes of said city; and the persons so elected shall hold office until the first Monday in January eighteen hundred and sixty-six, and until their successors are elected; and the Directors, so elected, shall choose a President at any meeting at which a quorum of at least two Directors shall be present.

Two of the Directors holding over may order an election for new Directors.

New Directors may choose President.

SEC. IV. Repeals conflicting laws.

Approved March 2d, 1865.

(No. 24.)

An Act to authorize the Georgia Railroad and Banking Company to close up its banking business.

10. SECTION I. *The General Assembly of the State of Georgia do enact*, That the better to enable the Georgia Railroad and Banking Company to close its banking business, heretofore authorized by the Legislature of Georgia, the said corporation is hereby empowered to use the corporate name in all suits, legal proceedings, and acts and contracts, when the corporate name may be necessary for that purpose; and said Company, whilst so closing their banking business, may loan at an interest not exceeding seven per cent., and for a period not exceeding six months, any surplus money on hand from deposits or other sources; *Provided*, said Company shall have no power to issue notes, or do any other act exclusively appertaining to the business of banking.

Georgia Railroad & Banking Company authorized to use its corporate name in all suits and proceedings necessary to close its business.

In the mean time may loan on certain conditions. Issuing notes prohibited.

SEC. II. Repeals conflicting laws.

Assented to March 9, 1865.

(No. 25.)

An Act to continue in force the 4th section of an Act, passed over the Governor's veto, on the 30th day of November, 1860, entitled "An Act to provide against the forfeiture of the several Bank charters of this State, on account of non-specie payment, for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks and their officers in this State, for non-payment of specie, and for other purposes; and also, an act to add a proviso to the 4th section of an Act, entitled an Act for the relief of the people and Banks of this State, and for other purposes, passed on the 30th day of November, 1860; and to add an additional section to said Act, assented to December 20, 1860."

11. SECTION I. *The General Assembly of the State of Georgia do en-*

Echols County attached to 1st Congressional District—Fees of County Officers.

Relief to
Banks extend-
ed, Stay law
re-enacted.

act, That the before recited part of an Act, and also the before recited Act, be, and the same are hereby re-enacted and continued in force, for, and during the war with the United States.

Of force at
once.

12. SEC. II. *Be it further enacted*, That this Act shall take effect, and be in force, from, and immediately after its passage.

Assented to March 11th, 1865.

TITLE III.

CONGRESSIONAL DISTRICTS.

Section I. Echols Co. attached to 1st Congressional District.

(No. 26.)

An act to change the first and second Congressional Districts, so far as relates to the county of Echols.

Echols County
attached to
1st Congress-
ional District

1. SECTION. I. *Be it enacted &c.*, That the county of Echols, now composing a part of the second Congressional District, be, and the same is hereby detached from said District, and annexed to the first Congressional District, and made a part of the same.

2. SEC. II. Repeals conflicting laws.

Assented to March 11th, 1865.

TITLE IV.

COUNTY OFFICERS.

Sec. 1. Increase of fees for Costs of County Officers.
" 2. Judgment and fi. fa. for costs to be for Confederate money.
" 3. Not applicable to cases before passage of act.

Sec. 4. Of force at once.

" 5. County Treasurers to be elected by the people. When, and for how long.

(No. 27.)

An Act to fix the fees of Clerks, Sheriffs, Ordinaries and Jailors, in the several counties in this State, and for other purposes.

Increase of
fees for costs
of county officers.

1. SECTION I. *Be it enacted*, That the rates of fees of Clerks, Sheriffs, Ordinaries and Jailors, in the several counties in this State, and Clerks and Sheriffs of City courts, shall be increased one hundred per cent. upon the rates now allowed by law, to be

Certain persons relieved from penalty for distilling spirituous liquors.

paid in Confederate money; *Provided* that the fees prescribed by the act of 14th of December 1863, shall be construed not as additional, but as new fees.

2. SEC. II. *Be it further enacted*. That when judgment is entered for costs, said judgment shall recite that the money shall be paid in confederate money; and the writ shall conform to said judgment. Judgment to be for cost to be for Confederate money.

3. SEC. III. *Be it further enacted*, That the provisions of the before recited act, shall not apply to cases or costs which have accrued before its passage. Not applicable to cases before passage of act.

4. SEC. IV. *Be it further enacted*, That this act shall be in force from and after its passage; and all laws and parts of laws conflicting with this act, are hereby repealed. Of force at once.

Approved March 11th, 1865.

(No. 28.)

An act to require County Treasurers to be elected by the people.

5. SECTION, I. *Be it enacted, &c.*, That hereafter, the County Treasurers in the several counties of this State, shall be elected by the people for the term of two years; the election to be held on the first Wednesday in January eighteen hundred and sixty-six; and thereafter, on the day that other county officers are elected. County Treasurers to be elected by the people. When, and for how long.

6. SEC. II. Repeals conflicting laws.

Assented to March 5th, 1865.

TITLE V.

DISTILLATION.

Sec. 1. Person distilling 5 gallons of liquor under mistake as to law, relieved on paying cost. Sec. 2. Same relief on future indictments. Sec. 2. Of force at once.

(No. 29.)

An Act to relieve from penalties certain persons who have been guilty of distilling spirituous liquors under a misapprehension of law.

WHEREAS, some persons in this State, since the adjournment of the last session of the General Assembly, have distilled spirituous liquors from grain or other prohibited articles, under the belief, in good faith, that this General Assembly had passed a law on the day of November 1864, allowing heads of families to distil a specified quantity of grain into spirituous liquors; and whereas, it is believed that said violation of law was committed under a misapprehension as to the passage of said Act: For remedy whereof,

Teachers entitled to the benefit of the Poor School Fund.

Parties dis-
tilling 5 gal-
lons of liquor
under mis-
take as to law
relieved on
paying cost.

1. SECTION I. *Be it enacted*, That in all cases where prosecutions have been commenced against any persons, since the adjournment of the last session of the General Assembly, for violating the distillation Acts of the State, and the quantity distilled is not shown to be more than five gallons for each head of a family, and ten gallons for each additional ten of the same, the indictment in all such cases, shall be quashed, upon proof being submitted to the satisfaction of the presiding Judge, that the person so offending did not intend to violate said laws, and that he or they were acting under the belief that such a law had been passed.

Same relief
as future in-
dictments.

2. SEC. II. *Be it further enacted*, That in all cases where indictments may hereafter be found, the accused shall be entitled to like privileges, and the presiding Judge shall have like discretion as is declared and provided in the first section of this act.

Of force at
once.

3. SEC. III. *Be it further enacted*, That all laws conflicting with this act, be, and the same are hereby repealed, and this act shall be of force from its passage.

Assented to March 9th, 1865.

TITLE VI.

EDUCATION.

Sec. 1. Same allowance to Teachers of poor children, as for others in same branches.

Sec. 2. Of force at once.

(No. 30.)

An Act to increase the per diem pay of Teachers entitled to the benefit of the Poor School Fund of this State.

Same allow-
ance to teach-
ers of poor
children, as
for others in
same branch-
es.

1. SECTION I. *Be it enacted*, That the Educational Boards of the several counties in this State, be, and they are hereby authorized, to allow the Teachers of children entitled to the benefit of the Poor School Fund, the same per diem pay for teaching said children as is charged by them for teaching other children pursuing similar branches of study: *Provided*, said charge shall not exceed seventy-five cents per day.

Of force at
once.

2. SEC. II. *Be it further enacted*, That this act shall take effect from and immediately after its passage; and that all laws and parts of laws militating against this act, be and the same are hereby repealed.

Assented to March 3d, 1865.

Returns of Elections in the Army—Elections for counties which have been overrun by the enemy.

TITLE VII.

ELECTIONS.

Sec. 1. Time extended to receive election returns from the Army—

Sec. 2. Refugees from Counties overrun may hold elections for their County on conditions.

(No. 31.)

An Act to extend the time for returns of elections in the Army.

1. SECTION I. *Be it enacted, &c.,* That the law requiring election returns from the Army, to be made in fifteen days, be amended so as to extend the time twenty days after said election.

Time extended to receive election returns from the army.

SEC. II. Repeals conflicting laws.

Assented to March 8th, 1865.

(No. 32.)

An Act to provide for holding Elections for counties which have been overrun by the enemy.

WHEREAS, There are several counties in this State, which have been overrun by the enemy, and the voters are unable to assemble at the election precincts of such counties to hold their elections; for remedy whereof:

2. SECTION I. *Be it enacted, &c.,* That from and after the passage of this act, it shall be lawful for any six or more good and loyal citizens of any county so overrun, to assemble on the days prescribed by law, previous notice being first given for at least twenty days, and hold elections for their county, under the rules now prescribed by law, in any county in the State; and such election shall be as valid as if the same were held in the counties of their residence; *Provided*, That the managers of said elections comply with existing laws as to returns of elections; *And provided further*, That any voter at such election, may be required upon the challenge of any other person, to take an oath that he has not renounced, and still claims his citizenship in the county for which the election is being held.

Refugees from counties overrun may hold elections for their counties on conditions

SEC. II. Repeals conflicting laws.

Assented to March 11th, 1865.

TITLE VIII.

EXECUTORS, ADMINISTRATORS, &C.

- Sec. 1. Exr's., Adm'r's., &c., authorized to sell Confederate bonds in certain cases to pay taxes.
- " 2. Proceedings to obtain leave to sell. Sale may be private.
- " 3. Returns of sale to be made.
- " 4. May also be sold for distribution.
- " 5. Exr's., Adm'r's., and Guardians, authorized to make annual returns in any county to which they have fled from the enemy. Transcript to be recorded, where letters were taken out.
- Sec. 6. Administrations in wrong counties legalized in certain cases.
- " 7. Exr's., Adm'r's., &c., authorized to pay debts existing before the war in estate property on valuation of 1860.
- " 8. Appraisers to make valuation. *Pro viso.*
- " 9. Returns to be made.
- " 10. Of force at once.

(No. 33.)

An act to authorize Executors, Administrators, Guardians and Trustees to sell Confederate Bonds, under certain circumstances.

SECTION. I. *Be it enacted*, That whenever any Administrator, Executor, Guardian or Trustee in this State, has not the money or the means of raising funds to pay the taxes of the estate which he represents, without selling property or collecting solvent debts contracted before the war, and is in possession of Confederate Bonds belonging to said estate, it may be lawful for him to sell a sufficient amount of said bonds to pay said tax, upon his complying with the provisions of the succeeding sections of this Act.

2. SEC. II. *Be it further enacted*, That any Executor, Administrator, Guardian or Trustee, wishing to sell Confederate Bonds for the purpose specified, shall make application to the Ordinary, by petition in writing, for leave to do so; and it shall be the duty of the Ordinary to grant such leave upon proof being made that such sale is necessary according to the spirit and intent of this act, and for the best interest of the estate; and such sale may be made privately, and without previous advertisement.

3. SEC. III. *And be it further enacted*, That whenever any Administrator, Guardian, Executor or Trustee shall sell any Confederate Bonds under the provisions of this act, he shall in his next annual return, state the time of such sale, the price received and the name of the purchaser.

4. SEC. IV. *And be it further enacted*, That the provisions of this act shall be extended to Administrators and Executors, when necessary to sell said bonds for distribution.

SEC. V. Repeals conflicting laws.

Assented to March 9th, 1865.

Exr's Adm'r's
&c. authori-
zed to sell
Confederate
bonds in cer-
tain cases to
pay taxes

Proceedings
to obtain
leave to sell

Sale may be
private.

Returns of
sale to be
made.

May also be
sold for dis-
tribution.

Annual returns of Executors, Administrators, &c., when their counties are overrun by the enemy.

(No. 34.)

An Act to authorize Executors; Administrators and Guardians, in those Counties overrun by the public enemy, to make their annual returns in any county in this State, to which they may remove; and for other purposes.

5. SECTION I. *Be it enacted, &c.,* That whenever any county in this State is overrun by the public enemy, so that Executors, Administrators and Guardians, cannot make their annual returns, as now required by law, it shall be lawful for such Executors, Administrators and Guardians, to make said returns in the county to which they may remove. And the Ordinary of such county is hereby authorized to pass all orders that may be necessary to a full and complete administration of such estates; *Provided, That* said Executors, Administrators and Guardians, shall be required to have a transcript of the returns thus made, recorded in the county where Administration or Guardianship was taken out, whenever said courts may be re-opened; failing thus to record a transcript of said returns, in the courts where Administration or Guardianship was taken out, said returns shall not be received as evidence in favor of the Executors, Administrators, or Guardians.

Exec's Admin's and Guardians authorized to make annual returns in any county to which they have fled from the enemy.

Transcript to be recorded where returns were taken

SEC. II. All conflicting laws are hereby repealed.

Assented to March 4th, 1865.

(No. 35.)

An Act to legalize Administrations made under letters granted from wrong counties, in certain cases.

6. SECTION I. *The General Assembly of the State of Georgia do enact,* That in all cases where letters of Administration have heretofore been granted from a county, which, at the time of granting them, did not embrace the place where the deceased resided at the time of his death, but which did formerly embrace it, and was, at the time of granting such letters, generally believed to embrace it still, the Administration made under such letters up to the passage of this Act, shall be as valid in all respects as it would be if it had been made under letters granted from the proper county.

Administration is many counties, legalized in certain cases.

Assented to March 4th, 1865.

(No. 36.)

An act to authorize Executors, Administrators and Trustees, to pay debts against the estates they represent, contracted and owing before the commencement of the war between the Confederate States and the United States, out of property belonging to the estate, on a basis of valuation of the same as in eighteen hundred and sixty, and for other purposes.

7. SECTION I. *Be it enacted,* That Executors, Administrators and Trustees are authorized and empowered to pay any debt

Executors, Administrators, &c., authorized to pay debts contracted before the war.

Exr's Adm's
&c. authori-
zed to pay
debts exist-
ing before the
war in estate
property, on
valuation of
1860.

against the estate they represent, contracted before the commence-
ment of the present war between the Confederate States and the
United States, with property belonging to said estates, on a basis
of valuation of the same as in eighteen hundred and sixty; *Provi-*
ded, The creditors of estates shall agree to receive property in pay-
ment of their debts at such a valuation.

Appraisers to
make valua-
tion.

Provisors-

8. SEC. II. *Be it further enacted*, That when the creditors of any
estate shall agree to receive property in payment of their debts
held by them against such estates, contracted before the present
war, at a valuation as prescribed in the first section of this Act,
and the Executor, Administrator or Trustee, shall believe it to be
to the interest of the estate they represent, to pay the same in
such a manner, the property shall be valued by three disinterested
persons under oath: one chosen by the Executor, Administrator or
Trustee, another by the creditor, and the third by the two thus
chosen, who shall determine the value and price put upon the
property; *Provided*, That the provisions of this act shall not inter-
fere with the priority of debts or liens; *Provided further*, That
when the Administrator, Executor or Trustee is a creditor, the
Ordinary shall represent the estate in the payment of debts due
him or them.

Returns to
be made.

9. SEC. III. *Be it further enacted*, That it shall be the duty of
every Executor, Administrator and Trustee who shall dispose of
property belonging to the estate they represent, in payment of
debts in the manner prescribed by the preceding sections of this
act, to make a return of the same, together with the appraisement
in their annual returns; which shall be a discharge from their liabil-
ity for said property, where there has been no fraud or collusion
in the disposition of the same.

Of force at
once.

10. SEC. IV. *Be it further enacted*, That all laws and parts of
laws militating against the provisions of this act, be repealed, and
that it take effect from its passage.

Assented to March 9th, 1865.

TITLE IX.

INSURANCE COMPANIES.

- SEC. 1. "Southern Insurance and Trust Company" re-organized at Macon.
 " 2. Five Directors shall make quorum.
 " 3. No loyal stockholder to be disfranchised,
 " 4. Future membership to be signified in writing.
- SEC. 5. "Home Insurance Company" of Savannah re-organized at Macon.
 " 6. No loyal stockholder to be disfranchised.
 " 7. Future membership to be signified in writing.

(No. 37.)

An Act to amend an act to incorporate an Insurance Company in the city of Savannah, to be called "the Southern Insurance and Trust Company," passed seventeenth of December, one thousand eight hundred and sixty-one, and to sanction its re-organization.

WHEREAS, The city of Savannah has, by the chances of war, become subject to the government of the United States of America: *And, whereas*, a minority of the Directors of said Company have voluntarily remained in said city, and are transacting business under said charter, under the protection of said government: *Preamble.*
And, whereas, a portion of the stockholders of said Company who have remained loyal to the government of the Confederate States of America, did on the fourteenth and fifteenth day of February, one thousand eight hundred and sixty-five, after due notice being given, assemble at the city of Macon, and re-organize said Company:

1. SECTION I. *Be it enacted, &c.*, That said re-organization shall be valid, and that the city of Macon shall hereafter be the residence of said corporation or such other place as the Board may designate. Southern Insurance and Trust Company re-organized at Macon.

2. SEC. II. *Be it further enacted*, That five Directors shall hereafter constitute a quorum, each of whom shall be a stockholder to the amount of fifty shares. Five Directors shall make quorum.

3. SEC. III. *And be it further enacted*, That this Act shall not be so construed as to disfranchise, or in any way affect any stockholder who has remained loyal to the Confederacy, whether he was at the time of such re-organization within the enemy's lines, or not. No loyal stockholder to be disfranchised.

4. SEC. IV. *Be it further enacted by the authority aforesaid*, That no person who owned stock in the original Company chartered for Savannah, shall be a member of the Company chartered by this Act, until such person shall first signify, in writing, his desire to be a member of the Company chartered by this Act, nor shall the property or effects of any person who was a member of the original Companies located at Savannah in any way be liable for the acts or doings of the Company chartered by this Act, until the Future membership to be signified in writing.

Home Insurance Company.

said person shall signify in writing his or her willingness to be a member of the Company chartered by this Act.

SEC. V. Repeals conflicting laws.

Assented to March 4th, 1865.

(No. 38.)

An Act to amend an Act to incorporate an Insurance Company called the "Home Insurance Company," approved 7th December, 1863, and to sanction its re-organization.

WHEREAS, the city of Savannah has, by the chances of war, become subject to the government of the United States of America: And, whereas, a minority of the Directors of said Company have voluntarily remained in said city, and are transacting business under said charter with the protection and seal of the United States of America: And, whereas, a portion of the stockholders of said corporation, who have remained loyal to the government of the Confederate States of America, did on the 14th and 15th days of February, 1865, after due notice being given, assemble at the city of Macon, and re-organize said Company:

Presumable.

Home Insurance Company of Savannah re-organized at Macon.

5. SEC. I. *Be it enacted by the General Assembly of the State of Georgia,* That said re-organization shall be valid and of full effect, and that all the acts of said re-organized Company shall be binding and obligatory so far as they comply with the provisions of said charter.

No legal stockholder to be disfranchised.

6. SEC. II. *And be it further enacted,* That this Act shall not be so construed as to disfranchise, or in any way affect, any stockholder who has remained loyal to the Confederacy, whether he was at the time of such re-organization within the enemy's lines, or not.

Future membership to be signified in writing.

7. SEC. III. *Be it further enacted by the authority aforesaid,* That no person who owned stock in the original Companies chartered for Savannah, shall be a member for the Company chartered by this Act, until such person shall signify, in writing, his desire to be a member of the Company chartered by this Act; nor shall the property or effects of any person who was a member of the original companies, located at Savannah, in any way be liable for the acts and doings of the Company chartered by this act, until the said person shall signify, in writing, his or her willingness to be a member of the Company chartered by this Act.

SEC. IV. Repeals conflicting laws.

Assented to March 7th, 1865.

Juries.—Special terms of the Superior Court.

TITLE X.

JUDICIARY.

- | | |
|---|--|
| Sec. 1. Jurors drawn for one Supr. Court but none held, made competent for next Court in order. | Sec. 12. Cases of persons charged with crime, it in Military service, to be continued. |
| Sec. 2. On failure of Court the Clerk to give notice, and require attendance of Jurors. | Sec. 13. Bonds not to be forfeited. |
| Sec. 3. Special sessions of Supr. Court may be called to try criminal cases. Notice, how given. | Sec. 14. Judgment of forfeiture to be set aside in certain cases. |
| Sec. 4. Attendance of Jurors provided for. | Sec. 15. Clerks required to make record of lost deeds, &c. Fees for recording. |
| Sec. 5. Adjournments of such special sessions authorized. | Sec. 16. Time for record in counties overruled extended. |
| Sec. 6. Judges to hold on application of Inferior Court. | Sec. 17. Law of evidence amended as to gaming. |
| Sec. 7. Dower cases may be decided. | Sec. 18. Worth added to South-Western Judicial circuit. |
| Sec. 8. Office of Ordinary may be declared vacant in certain cases. | Sec. 19. Times for holding Superior Courts changed and fixed. |
| Sec. 9. Proceedings. | Sec. 20. Civil jurisdiction of City Court of Augusta extended. Court fees same as in Superior Court. |
| Sec. 10. Finding of Jury. | |
| Sec. 11. Of force at once. | |

(No. 39.)

An act relative to Juries.

1. SECTION I. *Be it enacted &c.*, That whenever from any cause, any of the Superior Courts of this State were not or cannot be held at any regular term or adjourned court, the Grand and Petit Jurors who were to serve thereat, shall be held and considered as legal and competent Jurors at the next Superior Court in said county; *provided* that no new Juries have been drawn and summoned for said succeeding court.

2. SEC. II. *And be it further enacted*, That whenever a failure of the Superior Court for any cause takes place, the Clerk thereof shall by written notice at the Court House door, or in some other mode, require the attendance of the Grand and Petit Juries who are made liable to service by the first section of this Act, at the next succeeding term of the Superior Court.

Assented to March 7th 1865.

(No. 40.)

An Act to authorize the Judges of the Superior Courts of this State, to convene special terms of the Superior Courts for the trial of criminal cases and dower.

3. SECTION I. *The General Assembly do enact*, That the Judges of the Superior Courts of this State, may, at any time in vacation, convene a special term of the Superior Court in any county of his

Special sessions of Superior Court may be called to try criminal cases.

Fifth Division of the Third Section and Fourth Article of the Constitution.

circuit, for the trial of any or all criminal cases, whenever in his judgment, it may be necessary : *Provided*, That in such cases, the Judge shall cause a notice of the time of the holding of such special term, to be previously published by notice, posted at the Court house door of the county, and by publication in the gazette in which the Sheriff's sales of the county are published, for such length of time as the Judge may, in each case, determine to be necessary and proper.

Notice how given.

4. SEC. II. *Be it further enacted*, That the Jurors drawn for the next succeeding regular term of the Court, shall be bound to attend as Jurors at such special term of the Court ; and such Jurors shall also attend the next regular term unless the Judge shall, in his discretion, at such called term relieve them by drawing another panel for the next regular term ; and all witnesses subpoenaed in all criminal cases, in said Court, shall be bound to attend said special term without further subpoena, unless the Court is convened for the trial of some particular case or cases mentioned in the published notices, and then only the witnesses in the cases named shall be bound to attend.

Attendance of Jurors provided for.

5. SEC. III. *Be it further enacted*, That after a special term of the Court has been convened upon notice published as aforesaid, the Court may adjourn over said special term to any other time, or from time to time, as the ends of justice and the necessity for a speedy and fair trial may require ; and the parties and witnesses and Jurors shall take notice of such adjournment without further notice.

Adjournment of such special sessions authorized.

6. SEC. IV. *Be it further enacted*, That it shall be the duty of the Judges of the Superior Courts, to hold such special term, in any county in their respective circuits, upon the application of the Inferior Court of such county.

Judges to hold on application of Inferior Court.

7. SEC. VII. *Be it further enacted*, That such called Courts may decide all cases of dower, that may be brought to said special called Courts ; *Provided*, the usual notices of application shall be given or waived, and no objection offered.

Dower cases may be decided.

SEC. VI. Repeals conflicting laws.

Approved March 9th, 1865.

(No 41.)

An Act to carry into effect the 5th division of the 3d section and 4th article of the Constitution of the State of Georgia.

8. SECTION I. *Be enacted*, That whenever any Ordinary shall be physically or mentally disabled from discharging the duties of his office, the vacancy shall be declared in the manner following :

Office of Ordinary may be declared vacant in certain cases.

9. SEC. IX. *Be it further enacted*, That the Judges of the Superior Courts of this State shall, upon information received from the Justices of the Inferior Court, or any party in interest, either in term time or in vacation, cause a panel of special Jurors to be assembled, one of whom shall be a Physician ; and said special Jury shall determine and try the issue of capacity or incapacity, wheth-

Proceedings.

Persons on Bonds for the appearance of criminals.—Deeds, Mortgages, &c., required to be recorded.

er physical or mental; and the verdict of said Jury shall be final; *Provided*, That ten days notice in writing, is first given to the Ordinary to be affected by said verdict, and to his nearest relative if within the county; *And provided further*, That the Jury so empanelled, shall be first sworn, as in all special Jury cases.

10. SEC. III. *Be it further enacted*, That if the Jury find incapacity, the office shall be vacant, and the proceedings shall be certified and transmitted to the Inferior Court, and such proceedings had as are now provided by law. Finding of Jury.

11. SEC. IV. This act shall go into effect from the time of its passage; and all laws conflicting with it are hereby repealed. Of force at once.

Assented to March 11th, 1865.

(No. 42.)

An Act to protect persons who are liable on bonds for the appearance of criminals to answer for crimes, and to authorize and require the Judges of the Superior Courts to continue cases when the persons charged with crime are in the military service of the country.

12. SECTION I. *Be it enacted, &c.*, That from and after the passage of this act, when any person charged with crime in this State, shall fail to appear at the court in any term of said court as required by his bond, and it shall be made to appear that the failure of such person is by reason of his being in the military service of the country, it shall be the duty of the Judge presiding, to enter a continuance in said case. Cases of persons charged with crime if in military service to be continued.

13. SEC. II. *Be it further enacted, by the authority aforesaid*, That no bond shall be forfeited by reason of the parties not appearing at the court, if it shall be made to appear that the party bound to appear, is in the military service of the country. Bonds not to be forfeited.

14. SEC. III. *Be it further enacted*, That when any bond has heretofore been forfeited, and it shall be made to appear to the court, that the failure of the defendant to appear, resulted from his being absent in the military service of the country, or being a prisoner in the hands of the public enemy, such judgment of forfeiture shall be set aside upon the payment of the costs incident to said forfeiture. Judgment of forfeiture to be set aside in certain cases.

Assented to March 8th, 1865.

(No. 43.)

An Act to authorize and require the recording of Deeds, Mortgages and other instruments, that have been heretofore recorded, and when the record of the same has been burned or destroyed; and to authorize the recording of Deeds, Mortgages and other instruments, in Counties in this State, which have been, or may hereafter be occupied by the public enemy, and for other purposes.

15. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the Clerks

Gaming laws.—Worth county added to the South-Western Judicial Circuit.

Clerks re-
quired to
make record
of lost deeds,
&c.

Fees for re-
cording.

Time for re-
cord in coun-
ties overruled
extended

of the Superior, Inferior, and Courts of Ordinary, are hereby authorized and required, to record all Deeds, Mortgages, and other instruments that were heretofore recorded in their Courts, respectively, when called on to do so, with all the entries made on said Deeds, Mortgages, or other instruments when heretofore recorded, when the record of the same has been burned or destroyed; and for said recording the same, the said Clerks shall be entitled to the same fees now allowed by law for recording of Deeds, Mortgages and such other instruments.

16. SEC. II. *And be it further enacted by the authority aforesaid,* That in all cases where Deeds, Mortgages or other instruments, entitled to record by the laws of this State, could not, and hereafter cannot be recorded within the time prescribed by law, by reason of the occupation of any county in this State by the public enemy, said Deeds, Mortgages, and other instruments, entitled to record by the laws of this State, may be recorded within the time prescribed by law, after the enemy has, or may hereafter remove from said county; the time the enemy has, or may hereafter occupy said county, to be counted out of the time prescribed by law.

16. SEC. III. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 44.)

An Act to amend the law of evidence in relation to the gaming laws of this State.

Law of evi-
dence amend-
ed as to
gaming.

17. SECTION I. *The General Assembly do enact,* That in all criminal prosecutions for presiding and dealing at a faro-table, or for playing and betting at the same, proof of the presiding and dealing; and of the use of counters, or checks, upon the table, shall cast the onus of proof upon the defendant, and make a *prima facie* case against him; and it shall devolve upon him to show that such checks or counters were not purchased with money, or other thing or things of value.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 45.)

An Act to add the county of Worth to the South-Western Judicial Circuit, and to change the times of holding the Superior Court of said county.

Worth county
added to
South west-
ern Judicial
Circuit.

18. SECTION I. From and after the passage of this Act, the county of Worth shall be, and the same is hereby added to the South-Western Judicial Circuit.

Times for
holding Su-
perior Courts
changed and
fixed.

19. SEC. II. *Be it further enacted by the authority aforesaid,* That the times of holding the Superior Courts in said county shall be changed; and the times for holding the Superior Courts of said county shall be the fourth Mondays of April and October; and shall hold for one week.

SEC. III. Repeals conflicting laws.

Assented to March 4th, 1865.

Bank of Commissary and Quartermaster Generals increased.—Keepers of Inns, Hotels, &c.

(No. 46.)

An Act to extend the civil jurisdiction of the City Court of Augusta, to abolish the tax or Court fee, and to make the fees of the officers of that Court the same as in the Superior Courts of this State.

21. SEC. I. *The General Assembly of the State of Georgia do enact,* That from and after the passage of this Act, the civil jurisdiction of the City Court of Augusta shall be extended to the sum of ten thousand dollars, exclusive of interest; that the tax or Court fee now imposed by existing laws on suits brought in that Court shall be abolished, and the fees of the officers of that Court shall be the same as fixed by law, for the officers of the Superior Courts of this State. Civil jurisdiction of City Court of Augusta extended. Court fees same as in Superior Courts.

SEC. II. Repeals conflicting laws.

Assented to March 9th, 1865.

TITLE XI.

MILITARY.

SEC. I. Rank of Commissary and Quartermaster General of the State raised to that of Colonel of Cavalry.

(No. 47.)

An Act to increase the rank and pay of the Commissary General and Quartermaster General of the State of Georgia.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Commissary General and Quartermaster General of the State of Georgia, shall each have the rank and pay of Colonel of Cavalry. Rank of Commissary and Quartermaster Gen. of the State raised to that of Colonel of Cavalry.

SEC. III. Repeals conflicting laws.

Approved March 9th, 1865.

TITLE XII.

PENAL CODE.

SEC. I. Keepers of hotels shall give checks for baggage without additional charge. SEC. 2. Refusal, made penal.

(No. 48.)

An act to compel keepers of Inns, Hotels and other houses of public entertainment for travellers, to give receipts or checks for the baggage of their guests in certain cases, and to make penal a refusal so to do.

1. SECTION I. *Be it enacted, &c.,* That it shall be the duty of the keepers of Inns, Hotels and other houses of public entertainment

Soldiers elected to civil offices.

Keepers of hotels shall give check for baggage without additional charge.

for travellers in this State, to give receipts or checks for all baggage of their guests delivered in such Inn, Hotel or house of entertainment, when requested so to do by such guest; and such keeper shall not make any additional charge for receipting for, checking, or keeping such baggage so long as the owner remains a guest of the house.

Refusal made punishable.

2. SEC. II. *Be it further enacted* That if the keeper of any Inn, Hotel or other public house of entertainment as aforesaid, shall violate any provision of the first section of this Act, he shall be guilty of a misdemeanor; and on conviction, shall be punished by a fine not exceeding five hundred dollars, in the discretion of the court.

SEC. III. Repeals conflicting laws.

Assented to March 9th, 1865.

TITLE XIII.

RELIEF.

SEC. 1. Three months given for soldiers to SEC. 3. Marriages between first cousins legalized.

2. On failure of regular election, Infr. Ct. may order election on 30 days notice.

(No. 49.)

An Act for the relief of certain persons elected to civil offices in this State, and for other purposes.

Three months given for soldiers to qualify as civil officers.

1. SECTION, I. *Be it enacted &c.*, That no person elected to civil office in this State who may be in the military service of this State or of the Confederate States, shall be deprived of the privilege of being qualified and of holding said office by reason of his inability to appear before the proper officer to be qualified, in consequence of his being in the army; any law, usage or custom to the contrary notwithstanding: *Provided*, said person shall appear and take the oath of office within three months after his election; and *provided further*, that this Act shall not vacate any office which would not be vacated under existing laws by the failure of the person to appear and take the oath of office as provided by law.

Proviso.

On failure of regular election, Inferior Court may order election on 30 days notice.

2. SEC. II. *Be it further enacted*, That if from any cause the election for county officers should not be held in any county in this State at the time prescribed by law, it shall be lawful for said election to be held in such counties, in the manner, and at such places as are prescribed by law; *provided*, the Inferior Court of such counties shall give public notice thirty days before the day of holding said election.

SEC. III. Repeals conflicting laws.

Assented to March 7th, 1865.

Clothing, shoes, hats or caps for soldiers from Georgia.

(No. 50.)

An Act to legalize all marriages between first cousins, which have been contracted since December 11th, 1863.

3. SECTION I. *Be it enacted*, That all first cousins who have heretofore married, since the 11th day of December, 1863, are hereby relieved from any penalties they may have incurred under the laws of this State, and that all such marriages are hereby declared legal. Marriages between first cousins legalized.

SEC. II. Repeals conflicting laws.

Assented to March 11th, 1865.

TITLE XIV.

SOLDIERS AND SOLDIERS FAMILIES.

Sec. 1. Quar. Mas. Gen'l of State required to issue clothing, shoes, blankets, &c., to Georgia Soldiers on requisition. Requisition how made.

Sec. 2. On what terms clothing, &c., furnished to Soldiers in Hospitals.

Sec. 3. Geo. Officers allowed to purchase clothing on conditions.

Sec. 4. Two Millions of Dollars additional, appropriated, for support of indigent soldiers and families.

Sec. 5. How to be raised.

Sec. 6. Justices of the Inferior Court to purchase and distribute.

(No. 51.)

An Act to amend an Act to appropriate money to procure and furnish clothing, shoes, hats or caps, and blankets, for the soldiers from Georgia, and to provide for raising the same.

1. SECTION I. *Be it enacted, &c.*, That the Quartermaster General of this State, is hereby authorized and required to issue, or cause to be issued, clothing, shoes, hats, and blankets, to the soldiers from Georgia, upon such requisitions as may be made by the officers commanding the regiments, battalions or independent companies, of the same; *Provided*, The said Quartermaster General shall not comply with any requisition that may be made, unless accompanied by the certificate of the officer making the same, stating the number of men present in the regiment, battalion or company; the number actually destitute, and that they have made efforts to draw from the Confederate Government, but failed to secure an adequate supply. Quartermaster Gen. of State required to issue clothing shoes blankets &c. to Georgia soldiers on requisition.

2. SEC. II. *Be it further enacted*, That in cases where Georgia soldiers are absent from their commands in Hospitals, and are destitute of clothing, the Quartermaster General of this State, is hereby authorized and required to issue, or cause to be issued to these destitute soldiers, such articles of clothing as they may be destitute of; *Provided*, the said Quartermaster General shall not issue clothing to any such soldiers, unless they present him a descriptive list, showing the company, battalion or regiment to On what terms clothing, &c., furnished to soldiers in hospitals.

Clothing for officers in the Army—\$2,000,000 additional for support of indigent soldiers families, &c.

which they belong, accompanied by a certificate of the medical officer in charge of the hospital, in which they are being treated, of their destitution of the articles called for.

SEC. II. Repeals conflicting laws.

Approved to March 11th, 1865.

(No. 52.)

An act to allow officers from this State in the army of the Confederate States, when with their command in the field, to purchase clothing from the Quartermaster General of this State.

Georgia officers allowed to purchase clothing on conditions.

3. SECTION I. *Be it enacted, &c.*, That from and after the passage of this Act, officers from the State of Georgia in the army of the Confederate States when present with their commands in the field, and not otherwise, may purchase at cost from the Quartermaster General, clothing, upon a requisition certifying that the same is necessary for their own use, and that they cannot obtain such clothing from the Confederate Government.

SEC. II. Repeals conflicting laws.

Assented to March 8th, 1865.

(No. 53.)

An Act to make an appropriation of two millions of dollars in addition to the appropriations already made, for the support of indigent families of soldiers who are in the public service, and for the support of indigent soldiers who have been or may hereafter be disabled by wounds or disease in the Confederate or State service for the year 1865, and to point out the mode in which said money shall be raised, and for other purposes.

Two million dollars additional appropriated for support of indigent soldiers and families.

4. SECTION I. *The General Assembly do enact*, That, in addition to the sum already appropriated, two millions of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated; for the support of indigent soldiers and their families. The term "indigent soldiers and their families" to include all who are beneficiaries under the existing laws; and the amount appropriated by this Act, to be distributed in the same manner as is now provided by law.

How to be raised.

5. SEC. II. *And be it further enacted*, That to provide for the raising said sum of two millions of dollars herein appropriated, the Governor shall cause to be prepared and issued as the same may be needed, Treasury notes of denominations not less than five dollars, to be signed by the Treasurer and countersigned by the Comptroller General; said notes to be made payable on demand, at the State Treasury, in Confederate Treasury notes; and if not presented within two years from the date thereof, then only to be receivable in payment of public dues, during the war, and no longer.

6. SEC. III. *It is further enacted*, That the money appropriated

Income Tax Act.

by this Act, be placed in the hands of the Justices of the Inferior Court of each county, whose duty it shall be to purchase provisions for the beneficiaries, and have the same distributed according to the true intent of this Act.

Justices of
the Inferior
Court to pur-
chase and
distribute.

SEC. IV. Repeals conflicting laws.

Assented to March 11th, 1865.

TITLE XV.

TAXES.

- Sec. 1. Taxes on net income or profits, from 1st April, 1864, to 1st April 1865. Returns under oath. No tax on less than 10 per cent. profits on capital employed.
- Sec. 2. Rates of taxation on profits of more than 10 per cent. on capital.
- Sec. 3. How to estimate profits when no returns are made.
- Sec. 4. Penalty for false or fraudulent returns. Informers to receive one-half.
- Sec. 5. Defaulters to be first notified.
- Sec. 6. Widows with sons in the army exempt from taxation, if value of property does not exceed \$4000.
- Sec. 7. Incorporated companies with banking privileges liable to a *viduorem* tax on all assets. How and when levied and collected. Capital stock not subject. Money refunded in certain cases.
- Sec. 8. Taxes paid by hirers of negroes may be refunded, on proof of payment by owners.
- Sec. 9. As to oath of Tax-payers.
- Sec. 10. As to oath of Tax-payers.
- Sec. 11. Assessment of Tax for 1865.
- Sec. 12. Time for settlement of Tax-Collectors extended.
- Sec. 13. Time extended to Tax Receivers to make returns in certain cases. Commissions how drawn.
- Sec. 14. Time extended to D. H. B. Troup to pay his Taxes. Extended as to all other defaulters in same condition.
- Sec. 15. Tax-Collectors losing money by enemy, shall institute action to prove the same.
- Sec. 16. On presentation of certified verdict, Comp. Gen'l shall release from State Tax. Inf. Court from county Tax.
- Sec. 17. Fita stayed pending action.
- Sec. 18. Attorney and Solicitors Genl. shall represent the State, on 20 days notice.
- Sec. 19. Applicable to all Receivers of public money.
- Sec. 20. Tax-Collectors and Collectors shall receive same commissions on Income, as General State Tax. Proviso.
- Sec. 21. State and County Taxes, paid for year 1864, may be refunded, on proof of loss of property by enemy. Proceedings in such cases.
- Sec. 22. 1. Tax not yet paid, deduction authorized on property lost by the war. Proceedings in such cases.
- Sec. 23. Parties unable to pay, may be wholly or partially relieved, on proper proof made.
- Sec. 24. Inf. Court shall adjudge. Escaped slaves included.

(No. 54.)

An Act to levy and collect a tax on the net income or profits of all persons engaged in agriculture and farming; and net profits of all persons making incomes by purchase and sale of any property, real or personal; upon the net income of all express companies, railroad companies not exempt by their charter from such taxation; insurance companies, brokers, auctioneers; all persons engaged in the manufacture of iron and salt, and cotton dealers; all persons engaged in the manufacture of flour, meal, grits and hominy; and upon all profits arising from the sale of goods, wares, and merchandise, groceries and provisions; also, on the income or profits of all persons and bodies corporate, engaged in the manufacture of cotton or woollen goods; in the tanning and sale of leather and the manufacture and sale of any articles made thereof; and the distillation and sale of alcohol or spirituous liquors; all cotton dealers; all persons engaged in the manufacture of wooden ware, and to punish all persons who may fail to give in their income or net profits, and for other purposes.

1. SECTION I. *The General Assembly of Georgia do enact, That* all persons engaged in agriculture and farming; all persons and bodies corporate in this State; all persons making income by purchase and sale of any property, real or personal; all keepers of hotels, inns, or livery stables, express companies; railroad companies not exempt from taxation by their charter; insurance companies, brokers, and auctioneers; millers, coopers; all persons engaged in the manufacture of sugar and syrup; all persons engaged in the manufacture and sale of salt; all persons engaged in the sale of goods, wares and merchandise, groceries and provisions; all persons and bodies corporate engaged in the manufacture and sale of cotton or woollen goods; in the tanning and sale of leather, and in the manufacture and sale of any article made thereof; and all persons engaged in the distillation and sale of alcohol or spirituous liquors; and all cotton dealers; all persons engaged in the manufacture of wooden ware, when they make a return of their taxable property, shall make a return, under oath, of the net income and profits which he, she or they may have made, respectively, in the sale, or manufacture and sale of any of the articles above enumerated, and in the conducting of any of the business aforesaid, from the first day of April, 1864, to the first day of April, 1865, over and above ten per cent on the capital employed in his, her, or their business.

2. SEC. II. *Be it further enacted, That* in all cases when the net incomes and profits over and above the ten per cent. on the capital stock, so excepted as aforesaid, are ten thousand dollars or less, the tax shall be five dollars for every hundred dollars; upon all sums over ten thousand dollars, not more than fifteen thousand dollars, seven and a half dollars upon every hundred dollars; upon all sums over fifteen thousand dollars and not more than twenty thousand dollars, ten dollars upon every hundred dollars; upon all sums over twenty thousand dollars and not more than thirty thousand dollars, twelve and a half dollars upon every hundred dollars; upon all sums over thirty thousand and not more than fifty thousand dollars, fifteen dollars upon every hundred dollars; upon all sums over fifty, and not more than seventy-five thousand dollars, seventeen dollars and fifty cents upon every hundred dollars; upon all sums over seventy-five thousand dollars, and not more than one hundred thousand dollars, twenty dollars upon every hundred dollars; and upon all sums over one hundred thousand, twenty-five dollars upon every hundred dollars.

3. SEC. III. *And be it further enacted, That* if any person or bodies corporate embraced in any section of this act, shall fail or refuse to make a return of his, her or their profits, made or realized as aforesaid, he, she or they shall be deemed and held as having made two millions of dollars profits, and shall be taxed accordingly.

4. SEC. IV. *Be it further enacted, That* if any person or the officers of any body corporate, whose duty it is to make the proper re-

Taxes on net income or profits, from 1st April, 1864, to 1st April, 1865.

Returns under oath.

No tax on less than 10 per cent on capital employed.

Rates of taxation on profits of more than 10 per cent. on capital.

How to estimate profits when no returns are made.

Property of Soldiers, &c., exempted from taxation, when it does not exceed \$2,000 in value.

turns required by the provisions of this act, shall make a false return, or shall enter and charge the profits in the extension of capital or stock, so as to defeat the object of this act, such person or officer or officers so offending shall be guilty of a high misdemeanor; and upon conviction thereof shall be taxed four-fold on the amount returned—one-half of which shall go to the person who may inform against, and prosecute the person or officer or officers so offending; and said person or officer or officers so offending, shall also suffer the penalty prescribed by the laws of this State for false swearing.

Penalty for false or fraudulent returns

Informers to receive one-half.

5, SEC. V. *Be it further enacted*, That before any receiver of tax-returns shall assess a tax of five hundred thousand dollars upon any person or body corporate for failure to make his or their return, he shall notify the party or his or their agent in writing of his intention so to tax them, and that the persons so notified shall have ten days from the service of such notice within which to make his or their return.

Defendants to be first notified.

SEC. VI. Repeals conflicting laws.

Assented to March 11, 1865.

(No. 55.)

An Act to exempt from taxation the property of all resident widows having sons in the Confederate or State service; minors and soldiers, in either the Confederate or State service of this State, from taxation, when the same does not exceed two thousand dollars in value, on the first day of April in each year, and for other purposes.

6. SECTION I. *Be it enacted, &c.*, That the provisions of the Act approved December 12th, 1863, exempting from taxation two thousand dollars of soldiers' and soldiers' widows, when their property does not exceed in value two thousand dollars, shall apply to all widows who have sons in the army, either of the State or Confederate States.

Widows with sons in the army exempt from taxation, if value of property does not exceed \$2,000.

Approved March 11th, 1865.

(No. 56.)

An Act to prescribe the tax on Banking Corporations and all incorporated Companies using Banking privileges in this State; Also to relieve the Banks and other incorporated companies, from a double tax levied upon the same in 1864.

7. SECTION, I. *Be it enacted &c.*, That the several Banking Companies, and all incorporated companies using Banking privileges in this State, are hereby subject and liable to pay such an ad valorem tax upon their assets, real and personal property, as is laid upon the taxable property of the tax payers of this State. The returns of said Banking or other incorporated companies using

Incorporated companies with banking privileges liable to ad valorem tax on all assets.

Taxes paid by hirers of negroes, in certain cases.—Oath of Tax-Payers.

How and
when levied
and collected

Banking privileges, to be made to the Comptroller General on the 1st of April in each and every year; and the tax to be paid directly to the State Treasurer free of cost to the State, on the first of October, in each and every year. In levying said taxes the Comptroller General shall levy the same tax upon said incorporations, as is levied upon all other property of the tax-payers of this State. *And whereas*, by the 10th section of an Act, approved December 14th 1863, a tax was directed to be levied both upon the Assets and the Capital stock of these incorporations, thereby taxing both the indebtedness as well as their assets: For remedy whereof, *Be it further enacted*, That the several Banking Corporations, and all incorporated companies using Banking privileges in this State, upon the payment of the tax upon their Assets, be relieved from the tax on their Capital stock; and where any of them have paid into the State Treasury the tax upon both their assets and Capital stock, his Excellency the Governor, is hereby authorized to draw his warrant on the Treasury for, and refund the amount thus paid on the Capital stock by said incorporations.

Capital stock
not subject.

Money re-
funded in cer-
tain cases.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 57.)

An Act to refund all taxes paid by hirers of negroes, on the same, in certain cases.

Taxes paid
by hirers of
negroes may
be refunded,
on proof of
payment by
owners.

8. SECTION I. *Be it enacted, &c.*, That the Governor of the State of Georgia, is authorized to draw his warrant on the Treasurer, to refund all taxes paid by hirers of negroes on the same, when satisfactory evidence is given to the Comptroller General of the amount paid, and that the owner of said negroes or his agent, has paid the said taxes.

SEC. II. All conflicting laws are hereby repealed.

Assented to March 4th, 1865.

(No. 58.)

An Act to repeal an Act entitled an Act, to alter and change the oath of Tax-Payers in this State, assented to December the 14th 1863.

As to oath of
tax payers.

9. SECTION I. *The General Assembly of the State of Georgia do enact*, That the above recited Act, be, and the same is hereby repealed.

Assented to March 6th, 1865.

(No. 59.)

An Act to prescribe the oath of Tax-Payers for the year 1865.

10. SECTION I. *The General Assembly of the State of Georgia do enact*, That the Act assented to December 2nd, 1863, (eighteen

Tax for the political year 1865.—Time for settlement with Tax Collectors extended.—Tax Receivers.

hundred and sixty-three) entitled an Act to amend the oath of Tax-Payers for the year 1864, (eighteen hundred and sixty-four,) and for other purposes, be re-enacted, with an amendment, substituting the year 1865, (eighteen hundred and sixty-five,) for that of 1864, (eighteen hundred and sixty-four.) As to oath of tax payers.

SEC. II. Repeals conflicting laws.

Assented to March 7, 1865.

(No. 60.)

An Act to levy and collect a Tax for the political year 1865, and for other purposes.

11. SECTION I. *The General Assembly of the State of Georgia do enact*, That His Excellency the Governor of this State, with the assistance of the Comptroller General, shall assess on the entire amount of taxable property of this State, Two-Fifth (2-5) of one per cent additional, for the support of Government, for the political year eighteen hundred and sixty-five (1865.) any law to the contrary notwithstanding. Assessment of tax for 1865.

Approved March 11th, 1865.

(No. 61.)

An Act to extend the time of settlement with the Tax-Collectors of this State.

12. SECTION I. *Be it enacted, &c.,* That the time for settlement of the several Tax-Collectors of this State, be extended to the first day of July, eighteen hundred and sixty-five. Time for settlement of Tax Collectors extended.

SEC. II. Repeals conflicting laws.

Assented to March 11th, 1865.

(No. 62.)

An act to allow certain Tax Receivers a reasonable time to make their returns.

WHEREAS, a respectable number of counties in the State have been overrun by the enemy, in consequence of which the Tax Receivers have failed to make their returns, in terms of the law, Therefore,

13. SECTION I. *Be it enacted &c.,* That the Receivers of Tax Returns who have not been enabled to make their returns of taxable property for the year 1864, have until the first day of August next, to make their returns to the Comptroller General's office; and on making such returns the Comptroller General is requested to give such Tax Receivers receipts that will enable them to draw the amounts of their commissions from Tax-Collectors, as provided by law. Time extended to Tax Receivers to make returns in certain cases. Commissions how drawn.

Assented to March 7th, 1865.

D. H. B. Troup—Tax Collectors from whom county funds have been taken by the public enemy.

(No. 63.)

An Act for extending time for paying Tax of D. H. B. Troup, and others similarly situated.

Time extended
to D. H.
B. Troup to
pay his taxes

WHEREAS, D. H. B. Troup, of the county of Glynn, has been prevented from paying his State and County Tax, in consequence of the fall of Savannah into the hands of the enemy, he being the representative of a very large estate, and having all his moneyed arrangements in the City of Savannah, and has not been able since the surrender of the City to perfect any other arrangements.

Extended as
to all other
defaulters in
same condi-
tion.

14. SECTION I. *Be it therefore enacted, &c.,* That the said D. H. B. Troup, or any other person, or persons similarly situated, be allowed an extension of time for paying such Tax, until the first day of September next.

Assented to March 4th, 1865.

(No. 64.)

An act for the relief of Tax Collectors from whom State and county funds have been taken by the public enemy.

WHEREAS, many of the Tax Collectors of this State have been robbed by Federal soldiers, of money in their hands belonging to the State and their respective counties; and whereas it is inconsistent with the policy and good faith of the State to permit any of her citizens to suffer loss whilst engaged in the faithful discharge of her service. Therefore,

Tax Collec-
tors losing
money by
enemy, shall
institute ac-
tion to prove
same

15. SECTION I. *Be it enacted,* That every Tax Collector in this State who has lost money as above stated, shall institute his action in the nature of a complaint against the State in the Superior Court of his county; which action shall be tried unless continued for good cause, at the first term of the Court, by a special Jury, who shall render a verdict in favor of said Tax-Collector for the sum of money thus lost, if they shall find that it was lost without negligence or blame on the part of said Collector; and shall designate in said verdict the amount of State and county tax thus lost.

On condi-
tion of cer-
tified verdict
Comp. Genl.
shall release
from State
tax.

Infer. Court
from county
tax.

16. SEC. II. *Be it further enacted,* That upon the presentation of said verdict certified by the Clerk of the Superior Court, to the Comptroller General, he shall release said Tax Collector from the payment of the State tax specified therein into the State Treasury; and upon the presentation of said verdict to the Justices of the Inferior Court, they shall release him from the payment of the county tax specified therein.

Ifa stayed
pending ac-
tion.

17. SEC. III. *Be it further enacted,* That the Comptroller General, when notified by a certificate of the Clerk of the Superior Court, that said action is pending in his court, shall not issue execution for the taxes so lost, until said action is determined against said Collector.

18. SEC. IV. *Be it further enacted,* That the Attorney or Solici-

Compensation of Tax Receivers and Collectors increased.—Tax-Payers relieved in certain cases.

for General of the Circuit in which said suit is instituted, shall receive written notice of the same at least twenty days before the sitting of the Court to which it is returned; and it shall be his duty to appear and represent the State in said cause.

Attorney & Solicitors Genl. shall represent the State on 20 day's notice.

19. SEC. V. *And be it further enacted*, That the provisions of this Act shall apply to all receivers of public money.

SEC. VI. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 65.)

An Act to increase the compensation of Receivers of Tax-Returns and Tax-Collectors, for the year 1865, and thereafter, until altered by law.

20. SECTION 1. *The General Assembly of the State of Georgia do enact*, That the Comptroller General hereafter, in allowing commissions to Receivers of Tax-Returns, and Tax-Collectors, shall separate the Income and General State Tax, and treat the same as two distinct Taxes; and that the Receivers of Tax-Returns and Tax-Collectors, shall be allowed the same commissions on each Tax, that they are now allowed by law for the collection of Taxes; *Provided*, That where either the general State Tax, or the Income Tax, exceeds, each, \$150,000, the Receivers and Collectors shall each receive one-fourth of one per cent commissions, on such excess, over and above the commissions now allowed by law.

Tax Receivers and Collectors shall receive same commission on Income as General State Tax.

Proviso.

Assented to March 4th, 1865.

(No. 66.)

An Act to relieve Tax-payers from State and county taxes, for the year 1864, in certain cases.

21. SECTION 1. *The General Assembly of the State of Georgia do enact*, That all State and county taxes for the year 1864, which have been paid on property destroyed or rendered valueless by the public enemy, or by any casualty of war, shall be refunded.—Every applicant for the benefit of this section of this act, shall present to the Inferior Court of the county where the property was given in, a sworn schedule of such property so destroyed or rendered valueless, with the amount of tax paid thereon to the State and to the county respectively, and the Court shall examine into the correctness of said schedule by comparison with the Tax-Receiver's books, and by evidence touching the alleged destruction or worthlessness of the property, resulting from the causes aforesaid, and shall decide thereon.—If the decision is adverse, the application shall be dismissed; if favorable, the applicant shall be entitled to a certificate signed by as many as three members of the Court, stating the amount of tax to be refunded by the county; which certificate shall entitle the applicant to receive the said amount from the county Treasury; and the said schedule endorsed with the approval of three members of the Court, may be presented to the Comptroller General and the Governor for their revision. If it is

State and County taxes, paid for year 1864, may be refunded, or proof of loss of property by enemy.

Proceedings in such cases

Tax-Payers relieved from the payment of State and County Taxes for 1864, in certain cases.

affirmed by them, the Governor shall draw his warrant on the Treasury of the State, in favor of the applicant, for the amount to be refunded by the State.

If now yet
paid, deduc-
tion author-
ized on prop-
erty lost by
war.

22. SEC. II. All State and county taxes for the year 1864, which remain yet unpaid, shall be subject to deduction on account of losses from the public enemy or from any casualty of war, according to the following rules: Each tax-payers list of taxable property as appearing on the books of the Tax-Receiver, shall be reformed by discarding therefrom all property which has been destroyed or rendered wholly valueless by the public enemy, or by any casualty of war; and further reformed by deducting from the aggregate taxable value thus left, the amount of damage which the tax-payer has sustained from the public enemy, or from any casualty of war, in partial injuries to taxable property, and in partial injuries to, or destruction of now, taxable property; and he shall pay taxes according to the return as thus corrected.—The estimate of damage shall be made on the basis of prices as they were in Confederate currency on the 1st April, 1864;—Every applicant for the benefit of this section of this act, shall present to the Inferior Court of the county where the return of his taxable property is to be corrected, a sworn schedule of the property destroyed, rendered valueless or partially injured; and the Court shall make examination into the correctness of said schedule, and shall make a careful estimate of losses and injuries, and of the amount of damage resulting therefrom. If the decision rejects the entire schedule, the application shall be dismissed, but whatever part thereof may be approved by as many as three members of the Court, shall be endorsed accordingly, and presented to the Comptroller General and the Governor for their approval;—Whatever part may be approved by them, shall be so endorsed by them, and shall be deducted by the Tax-Collector from the Tax-payers aggregate of taxable value appearing on the books of the Receiver.

Proceedings
in such cases.

Parties un-
able to pay
may be whol-
ly or partial-
ly relieved
on proper
proof made

23. SEC. III. If after correcting the return of taxable property in the manner prescribed in the 2d section of this Act, the tax still due is more than the Tax-payer can pay, without selling such of his property as is exempt from sale under execution in favor of ordinary creditors, he shall be bound to pay only so much thereof as can be paid by other resources; his inability to pay the whole, and the part which he is able to pay, shall be verified by his own oath or other proof, and shall be approved by three Justices of the Inferior Court, who shall furnish a certificate in accordance with their decision; and this certificate shall be the rule of settlement for the Tax Collector.

Infer. Court
shall adjudi-
cate.

Escaped
slaves in-
cluded.

24. SEC. IV. Special sessions of the Inferior Court shall be held weekly, and from day to day, until all applications under this act are determined; *Provided*, that the property exempted from taxation by the several sections of this Act, shall include all slaves who have escaped to the public enemy.

SEC. V. Repeals conflicting laws.

Assented to March 3d, 1865.

PART II.

LOCAL AND PRIVATE LAWS.

TITLE I.—CITIES AND TOWNS.

“ II.—CORPORATIONS.

“ III.—COUNTY LINES,

“ IV.—RELIEF.

“ V.—TAXES.

PART II. LOCAL AND PRIVATE LAWS.

TITLE I.

CITIES AND TOWNS.

- SEC. 1. The Act incorporating Fort Valley amended. Commissioners invested with full power to regulate retail of liquors. Power given to control licenses and impose penalties.
2. Aldermen of Milledgeville in future elected by general ticket.
3. Corporate limits of the town of Perry changed.
4. The town of Reynolds in Taylor county incorporated. Commissioners.
5. Five Commissioners to be elected annually. Qualification of voters.

- SEC. 6. Oath of Commissioners.
7. Powers of Commissioners.
8. Street duty to be done, and who liable.
9. Limited taxes may be imposed.
10. Charter of Sparta so amended as to give Commissioners power to refuse retail licenses.
11. Legalizes election of town Commissioners of Madison.

(No. 67.)

An Act to alter and amend an act incorporating the town of Fort Valley in the county of Houston, so as to invest the Commissioners of said town with full power to regulate or prohibit the retail of spirituous liquors within the corporate limits of the same.

1. SECTION I. *Be it enacted, &c.,* That from and after the passage of this Act, the act incorporating the town of Fort Valley, in the county of Houston, shall be so amended as to invest the full power and authority in the Commissioners elect, and their successors in office, to pass any ordinance regulating the retail of spirituous liquors within the corporate limits of said town; and that they have power to grant or withhold license, and to charge such sums for the granting thereof, as to them shall be deemed right and proper, and to impose such penalties for violations thereof, as shall not be inconsistent with the Constitution and laws of this State.

The act incorporating Fort Valley amended.

Commissioners invested with full power to regulate retail of liquors.

Power given to control licenses and impose penalties.

SEC. II. Repeals conflicting laws.

Assented to March 7, 1865.

(No. 68.)

An Act to amend the Charter and corporate laws of the City of Milledgeville as to the mode of electing Aldermen.

2. SECTION I. *The General Assembly do enact,* That from and after the passage of this Act, in all future elections of Aldermen for the City of Milledgeville, the same shall be elected by general ticket, and not by wards as is now done; and that the qualification of voters shall remain as now existing.

Aldermen in future elected by general ticket.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

Corporate limits of the town of Perry changed—Reynolds incorporated.

(No. 69.)

An act to alter and change the corporate limits of the town of Perry in the County of Houston.

Corporate

limits of the town of Perry changed.

3. SECTION. I. *Be it enacted*, That from and after the passage of this Act, that "Fannie Gresham Branch" shall be the North Western boundary of the town of Perry, instead of Big Indian Creek.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 70.)

An act to incorporate the town of Reynolds in the County of Taylor, and for other purposes.

The town of Reynolds, in Taylor county, incorporated.

Commissioners.

4. SECTION. I. The General Assembly do enact, That that the town of Reynolds in the County of Taylor, be, and the same is hereby incorporated, and that the corporate limits shall extend so as to embrace lot of land no 274, upon which said town is situated; and that Bryant Ingram, Alfred Coleman, H. H. Long, Henry Hodges and W. H. Christopher, be, and they are hereby appointed a Board of Commissioners for said town, who shall hold their office until the first Monday in January 1866, and until their successors are elected and qualified.

Five Commissioners to be elected annually. Qualification of voters.

5. SEC. II. *Be it further enacted*, That on the first Monday in January of each year, all the citizens who shall be entitled to vote for members of the Legislature, residing in said town, shall be entitled to elect five Commissioners, which election may be held by any two freeholders residing in said town.

Oath of Commissioners.

6. SEC. III. *Be it further enacted*, That said Commissioners shall take an oath, to faithfully discharge their duties, before entering on the duties of their office, before any officer legally authorised to administer oaths.

Powers of Commissioners.

7. SEC. IV. *Be it further enacted*, That said Commissioners shall have power to pass all laws and ordinances necessary for the government of said town, to regulate the retail of spirituous liquors in the same, and to appoint a Marshal and other necessary officers.

Street duty to be done and who are liable.

8. SEC. V. *Be it further enacted*, That all persons within the Corporate limits of said town liable to road duty, shall be compelled when required, to work the streets.

Limited taxes may be imposed.

9. SEC. VI. *Be it further enacted*, That said Commissioners shall have power to levy a sufficient tax on the persons and property in the Corporate limits of said town, to defray the necessary expenses of said Corporation, not to exceed fifty per cent on the State tax.

SEC. VII. All conflicting laws are hereby repealed.

Assented to March 11, th1865.

Sparta—Madison—Metropolitan Telegraph Company incorporated.

(No. 71.)

An act to amend the Charter of the town of Sparta, in said State.

10. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Charter of the town of Sparta, in said State, be, and the same is hereby so amended, as to give to Commissioners of said town, the power to refuse to grant license for the retail of spirituous liquors, within the corporate limits of said town.

Charter of Sparta so amended as to give Commissioners power to refuse retail licenses.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

(No. 72.)

An act to legalize the election of Commissioners for the town of Madison, held on the tenth day of December, in the year eighteen hundred and sixty-four.

11. SEC. I. *The General Assembly do enact as follows;* The election of five Commissioners for the town of Madison, in this State, held on the tenth day of December, in the year eighteen hundred and sixty-four, for the year eighteen hundred and sixty-five, shall be as valid in all respects, as if the same had been held according to the provisions of the amended Charter of said town.

Legalizes election of town Commissioners of Madison

SEC. II. Repeals conflicting laws.

Assented to March 4th, 1865.

TITLE II.

CORPORATIONS.

- | | |
|--|---|
| <p>1. Metropolitan Telegraph Company incorporated.</p> <p>2. Line from Macon by way of Milledgeville, Sparta &c., to Augusta.</p> <p>3. Capital stock may be divided into shares, and transferrable.</p> <p>4. Board of Directors shall have management.</p> | <p>5. Liability of stock holders.</p> <p>6. Officers and employees, exempt from military, patrol and Jury duty.</p> <p>7. Entitled to privileges of Act of 29th of Dec. 1857, on conditions.</p> <p>8. Of force at once. Limitation of Charter.</p> |
|--|---|

(No. 73.)

An act to incorporate the Metropolitan Telegraph Company, and for other purposes therein mentioned.

I. SECTION I. *Be it enacted by the General Assembly,* That John C. Butler, L. Carrington, A. W. Calloway and their associates and successors, be, and the same are hereby created, a body politic and corporate, by the name, and style, of "The Metropolitan Telegraph Company," and by that name, may sue and be sued; make contracts; have and use a common seal; and establish by laws, not inconsistent with the Constitution and laws of this State, or of the Confederate States.

II. SEC. II. *Be it further enacted,* That said Company shall beMetropolitan Telegraph Company incorporated.

Metropolitan Telegraph Company Incorporated.

Line from Macon by way of Milledgeville, Sparta &c., to Augusta, Geo. authorized to establish, construct and manage, use and control, a line or lines of Magnetic Telegraph, from the city of Macon in this State, by way of Milledgeville, Sparta and Warrenton, to the city of Augusta, Georgia.

Capital stock may be divided into shares and transferrable. 3. SEC. III. *Be it further enacted*, That the capital of said Company shall be divided into shares, as the by-laws may provide, transferrable according to said by-laws, and shall be of such amount as may actually be required for the line or lines of Telegraph actually erected by them.

Board of Directors shall have management. 4. SEC. IV. *Be it further enacted*, That said Company shall be managed by a Board of Directors, elected according to their by-laws, who shall hold their meetings, and keep their principal office at such place, as the Stockholders, at their first meeting, may elect.

Liability of stockholders. 5. SEC. V. *Be it further enacted*, That the Stockholders of said Company for the time being, shall be, jointly and severally liable, for all the debts contracted and purchases made by the Company.

Officers and employees exempt from military, patrol and jury duty. 6. SEC. VI. *Be it further enacted*, That all Telegraph Operators and officers, actually employed as such by said Company, shall be exempt from military, patrol and jury duty, during such actual employment.

Entitled to privileges of act of 29th of Decr., 1857, on conditions. 7. SEC. VII. *Be it further enacted*, That said Company shall be entitled to the privileges, and subject to all the restrictions provided for by an Act to authorize the construction of the Magnetic Telegraph, approved on the twenty-ninth of December, eighteen hundred and fifty-seven; *Provided*, that the charter herein granted shall not be so construed as to interfere with the chartered rights of other Telegraph Companies.

Of force at once. Limitation of Charter. 8. SEC. VIII. *Be it further enacted*, That this Act shall go into effect from and immediately after its passage; and that the charter herein granted, shall be in full force and effect for the period of thirty years.

Assented to March 4th, 1865.

Lines between Coweta and Heard changed.—Randolph and Calhoun.—Wayne and Pierce.

TITLE III.

COUNTY LINES.

- Sec. 1. Reestablishes County line between Coweta and Heard.
- " 2. Repeals Act of 18th Dec. 1863, changing County line between Randolph and Calhoun.
- " 3. County line between Wayne & Pierce, changed.
- " 4. County line between Meriwether and Coweta changed, as to residence of B. P. Hill.
- Sec. 5. County line between Chattahoochee and Stewart changed.
- " 6. Residence of Sam'l Hart, included in Warren county.
- " 7. Repeals Act of Dec. 20th, 1860, changing County lines, as to certain lots in Lee Co.
- " 8. Change of County lines between Pulaski and Tallah.

(No. 74.)

An Act to repeal an act, entitled, "An Act to change the lines between the counties of Marion and Taylor, and the county lines of Coweta and Heard," assented to December twenty-seventh, (27,) eighteen hundred and fifty-seven, (1857,) so far as relates to the county line between Coweta and Heard.

1. SECTION I. *The General Assembly do enact, That all that portion of the above recited Act which changes the county line between Coweta and Heard, be, and the same is hereby repealed.*

Assented to March 4th, 1865.

(No. 75.)

An Act to repeal an act, assented to April the 18th, 1863, entitled an act to change the line, between the counties of Randolph and Calhoun, so as to embrace in the county of Randolph, lots of land numbers 210, 211, 246, and 247, in the 5th District, of originally Lee, now Calhoun, in the county of Randolph.

2. SECTION I. *The General Assembly of the State of Georgia do enact, That the above recited act be, and the same is hereby repealed.*

Repeals act of 18th Decr. 1863, changing county line between Randolph & Calhoun

SEC. II. Repeals conflicting laws.

Assented to March 7, 1865.

(No. 76.)

An Act to change the line between the counties of Wayne and Pierce.

3. SECTION I. *The General Assembly do enact, That from and immediately after the passage of this act, the line between the counties of Wayne and Pierce, shall be so altered, as to include lots of land numbers 277 and 322, the property of James S. Yeomans, and on which said Yeomans now resides, in the county of Pierce, any law, usage or custom to the contrary notwithstanding.*

Assented to March 4th, 1865.

County line between Wayne and Pierce changed.

Meriwether and Coweta—Chattahoochee and Stewart—Glasscock and Warren.

(No. 77.)

An Act to change the line between the counties of Meriwether and Coweta, so as to include the residence of B. P. Hill, in the latter.

County line
between
Meriwether
and Coweta
changed, as
to residence
of B. P. Hill.

4. SECTION I. *The General Assembly of the State of Georgia do enact, That the line between the counties of Meriwether and Coweta, be so changed, as to include within the county of Coweta, the residence of Burwell P. Hill: Provided, That said Burwell P. Hill shall continue to pay his tax in the county of Meriwether, upon all property lying within said county of Meriwether, not by this act included in the county of Coweta.*

Assented to March 4th, 1865.

(No. 78.)

An Act to change the line between the counties of Chattahoochee and Stewart—and also to change the line between the counties of Glasscock and Warren.

County line
between
Chattahoo-
chee and
Stewart
changed.

5. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That the line between the counties of Chattahoochee and Stewart, be changed, so as to include in the county of Chattahoochee, lot of land, number eighteen (18,) thirty-third district, including the residence of William V. Collier; lot number twenty-nine (29,) thirty-third district, including the residence of R. D. Syzmore; lot number fourteen (14,) including the residence of E. O. Brown; and lot number one hundred and four (104,) including the residence of Ross Lowe, each of said lots of land lying adjoining the county line of Chattahoochee.*

Residence of
Samuel Hart
included in
Warren coun-
ty.

6. SEC. II. *And be it further enacted, That the county line between Glasscock and Warren, be changed, so as to include the residence and premises of Samuel Hart, in Warren county.*

SEC. III. *Repeals conflicting laws.*

Assented to March 4, 1865.

(No. 79.)

An Act to repeal so much of the first section of an act, entitled, An Act to change the line between certain counties therein mentioned, and for other purposes, assented to December 20th, 1860, as relates to lots of land numbers 114 and 115, in the fourth district of originally Lee county.

Repeals act
of Dec. 20th
changing
county lines
as to certain
lots in
Lee county.

7. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That so much of the first section of the above recited Act, as relates to lots of land numbers 114 and 115, in the 4th district of originally Lee county, be, and the same is hereby repealed.*

SEC. II. *Repeals conflicting laws.*

Assented to March, 11th 1865.

Exiles from the city of Atlanta.

(No. 80.)

An Act to change the line between the counties of Pulaski and Telfair.

S. SECTION I. *Be it enacted*, That from and after the passage of this act, the line between the counties of Pulaski and Telfair, be so changed, as to add lot of land number two hundred and forty-one, (241.) in the fourteenth (14) district, of Telfair county, to the county of Pulaski, it being the residence and premises of James Humphreys.

Change of
county lines
between Pu-
laski and
Telfair.

SEC. II. Repeals conflicting laws.

Assented to March 4th, 1865.

TITLE IV.

RELIEF.

- Sec. 1. Action of State Quartermaster General approved in providing food and shelter for Atlanta exiles.
- Sec. 2. Same provision to be continued for present year. Fund how drawn. Report to be made at next annual session.
- Sec. 3. Returns of Justices of Inf. Court of Terrell Co., to embrace these exiles. Restriction on amount to be drawn.

(No. 81.)

An Act to provide for the support and maintenance of certain exiles from the city of Atlanta, and for other purposes.

WHEREAS, After the occupation of the city of Atlanta, by the Federal army, by an inhuman order of General Sherman, the inhabitants of said city were driven from their homes, many of whom were the widows, wives and children of soldiers in indigent circumstances, without any means of subsistence; *And whereas*, by order of His Excellency the Governor, said persons thus exiled from home, were taken to the town of Dawson, in Terrell county, by the Quartermaster General, who has caused a camp to be established and cabins to be erected for their shelter, and means to be provided for their support, their necessities being so pressing as not to admit of delay;

Provisions.

1. SECTION I. *Be it therefore enacted*, &c., That the action of the Quartermaster General, in relation to the expenditures made for the benefit, support and maintenance of said exiles, is hereby ratified and approved; and said Quartermaster General is entitled to a credit for the same.

Action of the
State Quar-
termaster
General ap-
proved pro-
viding food
and shelter
for Atlanta
exiles.

2. SEC. II. *Be it further enacted*, That the Quartermaster General is hereby authorized to continue to provide for the support and

Same provision to be continued for present year.

Funds, how drawn.

Report to be made at next annual session.

Returns of Justices of Infer. Court of Terrell county to embrace exiles.

Restriction on amt. to be drawn.

maintenance of said exiles, or such of them as are unable by their labor to support themselves and families, for the balance of the present year; and shall have power and authority to draw on the funds of his department, for that purpose; and shall keep correct accounts of the receipts and expenditures of said exile camp, and make report thereof to the Governor, whose duty it shall be to lay the same before the General Assembly at the next annual session.

3. SEC. III. *Be it further enacted,* That it shall be the duty of the Inferior Court of the county of Terrell, in making their returns to the Governor, of soldiers' families entitled to participate in the appropriation made for their support, to include those belonging to said exile camp; and the aggregate amount due them shall be paid over to the Quartermaster General, and make a part of the fund for the support of said exiles; and if the same, together with what they can procure or make by their own labor, shall be sufficient for their support, then they shall not be entitled to draw any thing further from the Quartermaster General.

SEC. IV. Repeals conflicting laws.

Approved March 11th, 1865.

TITLE V.

TAXES.

Sec. 1. City taxation in Marietta, limited during the war.

(No. 82.)

An Act to limit the Tax to be imposed upon the citizens and Tax-payers of the city of Marietta, in said State.

1. SECTION I. *The General Assembly do enact,* That from and after the passage of this act, it shall not be lawful for the Mayor and Council of the city of Marietta in said State, to levy and collect a tax on the citizens and tax-payers of said city, exceeding one-fourth of one per cent., and that this Act shall continue and be in force only for and during the present war.

Assented to March 4th, 1865.

City taxation in Marietta limited during the war.

RESOLUTIONS

ADOPTED BY

THE SENATE

AND

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF GEORGIA,

ADOPTED AT THE CALLED SESSION OF THE GENERAL ASSEMBLY, HELD
AT MACON, IN FEBRUARY AND MARCH, 1865.

- | | |
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| No. 14. Subordination of Military to Civil authority. | No. 27. Joint Committee appointed to examine Penitentiary. |
| No. 15. Georgia's purpose to prosecute the war. Army to be informed. | No. 28. Gov. authorized to sell all surplus materials about Penitentiary, to pay debts and make repairs. |
| No. 16. Requesting repeal of Conscription Act. | No. 29. Committee appointed to investigate charges against State Commissary General's Dep't. Also, to examine Quar. Master Gen'l's Dept. |
| No. 17. Respect to the memory of Maj. Gen'l W. H. T. Walker. | No. 30. Establishment of picket line, to prevent escape of slaves. |
| No. 18. Time extended for giving in Tax in certain sections. | No. 31. State Treasurer authorized to rent an office in Macon. |
| No. 19. Thanks to Militia and State Line for services. | No. 32. In reference to pay of Members and Officers of Gen'l Assembly. |
| No. 20. Gov. requested to make arrangements with different Rail Roads to transport corn on State trains. | No. 33. Officers of Gen'l Assembly allowed to purchase cotton cards. |
| No. 21. Recommends construction of Rail Road between Albany and Thomasville. | No. 34. Requesting suspension of order to remove iron from Macon & Brunswick R. R. |
| No. 22. To suspend the collection of Taxes in certain cases. | No. 35. Distribution of educational fund of 1864 |
| No. 23. Recommends that certificates for property impressed by Government ag's, be received for Tax. | No. 36. Appropriation for support of Orphan children of Union Society Chatham Co. |
| No. 24. Requesting release of Tax-in-kind in Counties overrun. | No. 37. Mail route recommended. |
| No. 25. Corn to be sent to counties not furnished under Act of Nov. 1863. | No. 38. Water's Pamphlet of Public Laws to be furnished civil officers. |
| No. 26. Distribution of imported Cotton Cards. Mads and beneficiaries. | |

(No. 14.)

The General Assembly of the State of Georgia do resolve, 1st, That subordination of the Military to the civil power, in all places where the authority of the civil law is not displaced by the presence or vicinity of the public enemy, is a fundamental principle of civil liberty.

2nd, That Commandants of Posts and Provost Marshals, exercising authority outside of Army lines, over citizens unconnected with the Army, are officers unknown to the Constitution and Laws of the Confederate States; and that these illegitimate offices, while serving as a refuge from Military service to a large class of at-

Subordina-
tion of mili-
tary to civil
authority.

The system
of post com-
mandants
and Provost
Marshals
disapproved
as illegal and
unnecessary

Resolutions relative to the prosecution of the war.—Voluntary Enlistments.

tachees and supporting forces, are a greivous vexation to citizens in pursuit of their lawful business, and are rendered unnecessary from the fact, that the functions performed by these persons belong to the enrolling officers whose appointment and duties are prescribed by law.

Action of
Genl. Taylor
Commended.

3rd, That the action of Lieutenant General Richard Taylor in abolishing these illegal and obnoxious offices within his Military District, meets our cordial approval, and commends itself to the imitation of all our Military authorities.

Copy resolu-
tions to be
forwarded.

4th, That His Excellency the Governor is requested to send a copy of these resolutions to the commanding General of this Military District, to the Secretary of War, and to the President of the Confederate States.

Approved March 9th, 1865.

(No. 15.)

A Resolution requesting the Governor to forward a copy of the resolutions, "renewing the assurances of Georgia to her sister States to prosecute the war until Independence is achieved and Liberty won", to each Brigade commander from Georgia.

Copy resolu-
tions to be for-
warded to
Brigade Com-
manders from
Georgia de-
claring Geor-
gia's purpose
to prosecute
the war.

Resolved, That His Excellency the Governor cause a copy of the resolutions pledging the resources of the State for the prosecution of the war, to be forwarded to each Brigade commander from Georgia in the Army.*

Assented to March 9, 1865.

*For Resolutions to be forwarded see Pam. Acts of 1863, p. 104—105.

(No. 16.)

WHEREAS, In the present struggle for Independence, every agency should be employed to recruit our armies by encouraging voluntary enlistments in the same; and believing as we do, that many of the citizens of this State, who are now out of service, would willingly enlist in the same, if allowed to volunteer in organizations of their own choice:

Requesting
repeal of Con-
scription Act

Therefore, be it resolved by the General Assembly, That our delegation in Congress be requested to favor the passage of a law repealing the Conscription Act, and authorizing the President of the Confederate States to accept Battalions and Regiments so organized, under officers of their own selection, for service during the war; Provided, That the Act to repeal the Conscript law, to obviate all doubts upon the subject, should contain an express proviso, that it shall not relieve or take out of service any organizations in the service.

Provided.

Approved March 11, 1865.

Resolutions, relative to Maj. Gen. W. H. T. Walker.—Time for returning the tax extended.

(No. 17.)

Resolutions relative to the late Maj. General W. H. T. Walker.

Resolved by the General Assembly of Georgia, That, as eminent public services deserve public recognition, and as the wealth of a State is found in the virtues of her sons, it is becoming on fitting occasions to pay tribute to worth, and to proclaim for emulation noble deeds; *Therefore,* The Senate and House of Representatives of Georgia take this opportunity of recording, publicly, their estimation of, and gratitude for, the eminent Military services of the distinguished veteran, Major General W. H. T. Walker, of Richmond county Georgia, who, during more than a quarter of a century of active Military life, illustrated by his gallantry and skill, the character of his native State, and shedding freely his blood in his country's cause, on the ensanguined fields of Florida and Mexico, finally yielded up his life as a sacrifice on the altar of Patriotism at Atlanta, in defence of the sacred rights and liberty of his own beloved Georgia.

Respect to the
services and
memory of
Genl. W. H.
T. Walker.

2nd, Resolved, That among the proud, though melancholy memories of this desolating struggle, none will be cherished with more affection, and treasured with more jealous care by the people of Georgia, than the unsullied name and distinguished fame of this gallant warrior, who lived and died without fear, and without reproach.

3rd, Resolved, That a copy of these resolutions, appropriately engrossed upon parchment, and duly certified, be transmitted by the Governor, to the bereaved widow, as an expression of the sympathy of the people of Georgia, in their and her irreparable loss.

Governor to
furnish copy
resolutions
on parchment
to widow of
deceased.

Approved March 9th, 1865.

(No. 18.)

A Resolution to extend the time for returning the Tax in certain cases.

WHEREAS, In many sections of this State, persons have been prevented from giving in their Taxes for the year eighteen hundred and sixty-four, by reason of the public enemy overrunning or threatening such sections of the State, or by reason of such persons having been driven from their homes by the proximity of the enemy;

Therefore, be it resolved by the General Assembly, That in all cases, where persons have been prevented from giving in their Taxes for the year eighteen hundred and sixty-four, by reason of the public enemy overrunning or threatening the sections of country where such persons reside; or where such persons have been driven from their homes by reason of the proximity of the Public enemy, it shall be lawful for all persons so situated, to give in their Taxes for the year 1864, within the same time that shall be allowed for the giving in a return of the Taxes for the present year 1865; and

Time extend-
ed for giving
in tax to per-
sons living
in sections
overrun or
threatened
by the enemy

Thanks to Georgia Militia and Georgia State Line.—Trains of Western & Atlantic Railroad.

Property lost
or destroyed
not taxable

in all cases, where such persons have had property lost or destroyed by the public enemy, or by any casualty of war, since the first of April 1864, such persons shall not be bound to give such lost or destroyed property; and the act entitled an act to exempt certain lands from taxation, assented to November 30, 1863, shall apply to all persons who have been driven from their homes by the public enemy during the year 1864.

Assented to March 11, 1865.

(No. 19.)

Resolution of thanks to the Georgia Militia and Georgia State Line for gallant conduct.

Resolved by the Senate and House of Representatives in General Assembly met, That the thanks of the State are due, and are hereby tendered, to General G. W. Smith, and to the officers and men composing the first Division of Georgia Militia; and to the officers and men of the Georgia State Line, for their conspicuous gallantry at Griswoldville in this State; and especially, for their unselfish patriotism in leaving their State, and meeting the enemy in the memorable and well-fought battle-field at Honey Hill in South Carolina. The State with pride records this gallant conduct of her Militia, and feels assured that when an emergency again arises, State lines will be forgotten by her Militia, and a patriotism exhibited which knows nothing but our whole country.

Resolved, That His Excellency the Governor be requested to transmit a copy of these resolutions to General G. W. Smith, with a request that they be read to all the troops under his command.

Approved March 9, 1865.

Tender of
thanks to the
Militia and
Geo. State
Line for gal-
lant services.

Copy resolu-
tions to be
furnished
Gen. G. W.
Smith and
his command

(No. 20.)

Resolution relative to running the trains of the Western and Atlantic Rail Road on certain other Rail Roads, for the purpose of shipping corn and other supplies for the benefit of the people of this State.

Resolved, That the Governor be requested to instruct the Superintendent of the Western and Atlantic Rail Road, to confer with the Superintendents of the Montgomery and West Point Rail Road, of the Atlanta and West Point Rail Road, of the South Western Rail Road, the Central Rail Road, the Georgia Rail Road and the Macon and Western Rail Road, with the view to running one of his trains upon each of said Roads to transport corn purchased, or to be purchased under the act of the last annual session of the General Assembly of this State, for the use of the families of indigent soldiers and other suffering poor, who are beneficiaries of said corn, so ordered to be purchased and appropriated.

Resolved, That at the earliest practicable day, said Superintendent be instructed to have one of said trains run from Montgomery

Governor re-
quested to
make arrange-
ments with
different rail-
roads to trans-
port corn on
State cars.

Railroad to connect Albany and Thomasville.

to Atlanta, one from Albany to Atlanta and one from Albany to Eatonton, for the purpose of accomplishing the objects set forth in the first of these Resolutions. On what routes.

Resolved, That supplies of private individuals, which are intended for family use and not for sale or speculation, such as corn, flour, bacon, lard, molasses and peas, shall be transported on said trains at such a schedule of freights as are charged by said Roads respectively; the State to be under such stipulations, as to loss and damage of freight, as the published regulations of said Roads impose upon shippers; said freights to be paid at the point of destination upon delivery. Rates and terms of transportation for family use.

Resolved further, That the number of trips made by each of said trains, and the periods of running the same, shall be left to the discretion of the Superintendent of the Western and Atlantic Railroad and the Governor, who are requested to continue the running of said trains until the objects set forth in these Resolutions are accomplished, and no longer. *Provided*, that the State shall be liable only for such injuries to freights as may result from defect in the trains of the State, or fault of the State Agents, and not for such injuries as may be caused by defects in the Roads on which the State trains may be run. As to running trains, and liability of State.

Resolved further, That His Excellency the Governor, be authorized and empowered to have removed, if practicable, one of the Engines belonging to the State Road now lying idle, to Rome, Georgia, for the purpose of transporting supplies to the destitute citizens of Cherokee Georgia. One of the State engines at Rome may be used.

Approved March 8th, 1865.

(No. 21.)

A Resolution in relation to the building of a Railroad to connect Albany and Thomasville for Military purposes.

WHEREAS, since the fall of Savannah, it is a matter of pressing military necessity for the transportation of troops and supplies from South-Western Georgia and Florida, that there should be Railroad communication between Albany and Thomasville, the termini of the South-Western and Atlantic and Gulf Railroads; the distance between said places being 55 miles, and through a level and productive country, there being but little grading to be done on said route: *And, whereas*, the existing Company is unable without assistance from the Confederate Government, to furnish the necessary labor and material for building said road: For remedy whereof, Preamble as to necessity of Railroad between Albany and Thomasville.

The General Assembly of the State of Georgia do resolve, 1st, That our Senators and Representatives in the Confederate Congress be requested to urge upon the Confederate Government the military necessity for building said road; and the importance of granting assistance to said Company, by allowing details to contractors who will furnish a sufficient and necessary number of Government aid to be urged by Georgia members in Congress.

Collection of Taxes suspended in certain cases.—C. S. Certificates.—Indigent Soldiers Families.

hands for the building of said road; and that the Confederate Government may furnish such supplies of iron as may be practicable for the completion of said road.

Copy resolutions to be forwarded.

2d. *Resolved*, That a copy of these resolutions be sent to our Senators and Representatives in Congress.

Approved March 9th, 1865.

(No. 22.)

Resolution to suspend the collection of Taxes, in certain cases.

Resolved, That, in all such counties as have been overrun by the public enemy, and by reason whereof the Receiver and Collector of Taxes have not been able to complete their Books, and to collect the taxes of said counties, the collection of Taxes be suspended for the present year 1864, and until a reasonable time for the same to be done; and that the Comptroller General be instructed not to enforce the Collectors in said counties to collect the same until a reasonable time after they may have been freed from the enemy, for them to make their collections and returns.

Assented to Nov. 18th, 1864.

(No. 23.)

Resolved by the General Assembly of the State of Georgia, That justice to the people requires that the Confederate Government receive in payment of all public dues and taxes, the certificates given by its agents, to persons whose property is impressed for public use. As the property taken by the Government from the citizen, is the means with which the citizen must pay his tax, the Government is bound in good faith to receive in payment of taxes, including tax in kind, any sort of evidence of debt which it gives for the property taken from the citizen, by its agents.

Requesting that certificates for property impressed by government agents be received for tax.

Resolved, That our Representatives and Senators in Congress be requested to use all their influence to procure the passage of an act in conformity to this resolution, and that a copy be forwarded by the Governor to our Senators and Representatives, and one to the President of the Confederate States.

Copy resolutions to be forwarded.

Approved March 11, 1865.

(No. 24.)

A Resolution requesting the action of Congress for the relief of indigent Soldiers families.

WHEREAS, in many counties in this State, many families have been left destitute of the means of support, by the absence of the male laboring portion of said families being in the Army of the Confederate States: *And, whereas*, in many counties in this State, the supply of provisions has been destroyed by the public enemy or consumed by our own cavalry:

Distribution of Corn to certain counties.—Imported Cotton Cards.

Therefore resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress be requested to take such measures as will cause the Collectors of the Tax in Kind for the Confederate Government, to release to the Justices of the Inferior Court of the counties of the State, upon their application, so much of the Tax in Kind of the county in which the Justices making application reside, as will, in their (the said Justices') opinion, be necessary for the support of the destitute or indigent soldiers families of their county, upon the payment of the schedule prices for the Tax in Kind released to said Justices of the Inferior Court.

Requesting
release of tax
in kind in
counties
overrun and
destitute.

Resolved, That His Excellency the Governor cause a copy of these resolutions to be sent to the Secretary of War and our Senators and Representatives in Congress, and respectfully call their attention to the importance and necessity of thus relieving the destitute and indigent families of soldiers.

Copy resolu-
tions to be
forwarded.

Approved March 11, 1865.

(No. 25.)

A Resolution relative to the distribution of Corn to certain counties.

WHEREAS, By the act entitled an act for the relief of the people in certain counties therein mentioned, and for other purposes, approved November 26th, 1863, certain amounts of corn were appropriated for the relief of the several counties therein named: *And, whereas,* some of the counties named in said bill, have not received the amount of corn so appropriated for them:

Therefore be it resolved by the General Assembly, That where any county has not received the amount of corn to which it was entitled under said Act, it shall be entitled to receive the same; and where the corn cannot be delivered to any county so situated, an amount of money equivalent to the corn due such county under said Act,* shall be paid over to said county.

Corn to be
sent to coun-
ties, not fur-
nished under
Act of Nov.
26, 1863, or
money in lieu

Assented to March 11th, 1865.

*See Acts 1863-64 p. 66-68.

(No. 26.)

A Resolution in reference to the distribution of the Imported Cotton Cards.

Resolved 1. By the General Assembly, That the Governor distribute the imported Cotton Cards among the several counties, taking as a basis of such distribution, the number of families in each county; and also taking into consideration, in estimating the *pro rata* share of each county, the amount of said Cards that have been heretofore distributed to the heads of families of any county, so as to do justice as far as possible, to the citizens of every county, in this respect. When the *pro rata* shares of the several counties shall be ascertained by the Governor, upon the basis and principle

Distribution
of Imported
Cotton Cards.

Penitentiary.

1st. Pr. Court to
appoint ag'ts.
to receive and
sell.

aforesaid, which he may do according to the best *data* and means of information in his possession, the Governor shall order the Inferior Courts of each county to appoint some fit and proper agent to receive and sell the Cards to the citizens of their respective counties.

State price,
how fixed.

Be it further Resolved, That the Governor shall fix a price at which said Cards are received from the State, sufficient to cover all expenses, transportation, &c.; which shall be refunded to the State by the agents when the sales are made.

Commissions
of Agent, &c.

Be it further Resolved, That said agent shall have such commissions on the sales as may be agreed on between him and the Inferior Court; and the Court shall fix the price at which said Cards shall be sold by the agent so as to cover said commissions and necessary expenses, and no higher.

Rules as to
distribution
and supply.

Be it further Resolved, That said agents shall sell said Cards to the heads of families most destitute and needy; in this respect in no case shall such agent sell more than one pair to any head of a family, until every other head of a family has been supplied with one pair.

Assented to March 5th, 1865.

(No. 27.)

A Resolution appointing a joint committee to examine the condition of the Penitentiary, and report thereon.

Joint Com-
mittee appoin-
ted to exam-
ine Peniten-
tiary

Resolved, That a joint committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to visit Milledgeville, and examine the Penitentiary, in order to form a correct opinion as to the policy of rebuilding, or abolishing the Penitentiary system; and to report as soon as practicable.

Approved February 24th, 1865.

(No. 28.)

Governor au-
thorized to
sell all sur-
plus brick,
iron and oth-
er material
about Peniten-
tiary to
pay debts and
make re-
pairs.

1st. Resolved, That His Excellency the Governor be, and he is hereby authorized, to sell at public outcry, or in such other way as will in his judgment be for the best interest of the State, all the surplus brick, and scrap iron, and other material in the Penitentiary, belonging to the State; and to use the money raised in payment of the debts now due by the Penitentiary, and in making such repairs as may be necessary to afford accomodation, and work shops for the convicts now there, and such as may hereafter be received under sentences of any of the Superior Courts of this State.

Repairs au-
thorized.

2d. Resolved, That the repairs and improvements recommended, and such others as the Governor may hereafter find necessary for the successful operation of the Penitentiary, be made. And that the abolition of the Penitentiary system be left to the sound discretion and wisdom of future Legislation.

Assented to March 4th, 1865.

(No. 29.)

Resolutions appointing a joint committee of both branches of the General Assembly, to investigate the affairs of the Commissary General and Quartermaster General of this State.

WHEREAS; The following charges have been made against the Commissary General, to-wit :

"Selling 765 sacks Liverpool salt, that had been seized from the people of Georgia, for the relief of soldiers' families, to his own purchasing Commissary at \$20 per sack, when it was worth on the market \$100 per sack ;—Selling 475 barrells molasses at 90 cents per gallon; when worth \$1 90 to the same party, and two hundred barrels of the said molasses were sold in a very short time for \$1 90 per gallon ;—Selling to the same, 20,000 lbs. soap at 28 cts. that was worth at least \$1 00;—the greatest waste and extravagance; the immense losses by some of the storekeepers, after having been allowed regular wastage;—Sale of Commissary stores to State officers and others to an immense amount at merely nominal prices; the Commissary General drawing any amount of store, for his own individual purposes, at the smallest kind of prices.

Charges against State
Commissary General's
Dept. by G.
C. Norton.

(Bombproof.) Having Assistant Commissaries, Clerks and Agents, numbering from 35 to 40, and nearly all within the conscript age; and that ten persons could do all the business of the Department, putting the State to an annual expense of \$100,000, with no troops to feed; That the Commissary Gen'l spends nearly all of his time in Atlanta, and does not give his personal attention to the Department; That this Department costs the State of Georgia, twice as much and more, than any Confederate Department employing the same number, and not half the work done—How checks have been drawn of the State money for individual purposes."

(Signed)

G. C. NORTON.

And Whereas, The Commissary Gen'l of Georgia, has requested an investigation of the same.

Therefore, be it Resolved, That a Committee of three from the House and two from the Senate, be appointed to examine the Books and papers of the Commissary Gen'l, with authority to send for persons and papers, and report the result of said investigation to the next General Assembly, and that the members of said committee, receive the same per diem pay and mileage, of members of the General Assembly.

Author-
ized by Com-
missary Gen.
the alleged
charges to be
investigated
by a joint
Committee
who shall
report to next
annual ses-
sion.

And be it further resolved, That said committee have full power to investigate all matters, connected with the Quartermaster General's office, together with the Books, papers, accounts and conduct of all connected with said office.

Qr. Master's
Dept. to be
examined

Assented to March 8, 1865.

Establishment of a Picket Line, &c.—Treasurer authorized to rent an office in Macon.

(No. 30.)

Resolution, in relation to the establishment of a picket line, &c.

WHEREAS, a great many slaves are constantly escaping to the enemy in Savannah, from the counties especially through which the Army of the enemy passed; and whereas, the Confederate States Government have removed the military force heretofore stationed above Savannah, thus leaving the way to the enemy open to the unobstructed escape of the slaves:

Establishment of picket line, to prevent escape of slaves

Resolved, That the Governor of this State be authorized to establish a line of mounted pickets, of such number and at such points, as he may deem sufficient for the purpose of arresting and preventing the escape of slaves to the enemy.

Resolved further, That the Governor be, and he is hereby authorized, to organize a Battalion of cavalry, for the purpose above mentioned, to be composed of such men in this State, as will volunteer to mount and equip themselves for the purpose.

Assented to March 11th, 1865.

(No. 31.)

State Treasurer authorized to rent an office in Macon.

Resolved by the General Assembly. That the Treasurer be authorized to rent in the city of Macon, a suitable office in which to transact the business of his office, and to deposit the funds of the State which he may receive during the present session.

Assented to Feb. 28th, 1865.

(No. 32.)

WHEREAS, under the Statute of Georgia, fixing the per diem pay of members of the Legislature at six dollars per day, it was intended that each member should receive the same in gold or silver coin, or its equivalent in paper money at par; And whereas, it is represented that the gold and silver is not in the Treasury to pay the members:

In reference to pay of members and officers of General Assembly

Be it therefore Resolved, That we the members release five dollars of our per diem pay, and receive the other one dollar in gold or silver, or its equivalent in Treasury notes of the State of Georgia, or its equivalent in the new issue of Confederate money; it to be estimated at the rate of thirty to one.

Resolved further, that the officers of this General Assembly be requested to relinquish five-sixths of the amount appropriated for their pay, and receive the other one-sixth, in gold or silver, or its equivalent in Georgia Treasury Notes, or its equivalent in the new issue of the Confederate money; it to be estimated at the rate of thirty to one.

Assented to March 4th, 1865.

Cotton Cards.—Iron of Macon & Brunswick Railroad.—Distribution of Educational Fund.

(No. 33.)

A Resolution requesting His Excellency the Governor, to allow the officers of this General Assembly to purchase Cotton Cards

Resolved, That His Excellency the Governor be requested to allow the officers of this General Assembly, to purchase two pairs of Cotton Cards each, on the same terms as allowed to members, to wit \$25 per pair.

To allow officers of General Assembly to purchase cotton cards. On what terms.

Assented to March 6th, 1865.

(No. 34.)

Resolution requesting the authorities to suspend the order to take the iron from the Macon & Brunswick Rail Road.

The Macon & Brunswick Rail Road having become by reason of the location, and the injuries inflicted by the public enemy upon two other Rail Roads terminating at this place, of such importance to the City and the country, that in the judgment of this General Assembly, the removal of its iron as is ordered, would cause loss to the public interest, great inconvenience to the citizens, and suffering to the destitute and dependent in this City and neighborhood, and could be justified only by the most imperious necessity. *Therefore.*

Preamble.

Resolved, That the General Assembly respectfully request the authorities controlling this impressment, to suspend their action against this Rail Road in operation, while rails are lying idle upon lines of Rail Roads that have been abandoned.

Requesting suspension of order to remove iron from Macon Brunswick Railroad.

Approved February 23th, 1865

(No. 35.)

In relation to the distribution of the Educational fund,

WHEREAS, there is a number of Counties from which there have been no returns made, of the number of children between the ages of six and eighteen years, who are entitled to share in the distribution of the Educational Fund for the year 1865:

Therefore, Be it resolved by the General Assembly of the State of Georgia, That His Excellency the Governor be authorized to make a distribution of the Educational Fund for the year 1864 among the Counties of this State, allowing to the counties from which there have been no returns of the number of children entitled to participate in the distribution, the number returned in the year 1863.

Distribution of Educational fund of 1864 among counties not yet having drawn.

Assented to March 9th, 1865.

(No. 36.)

Resolved, That His Excellency the Governor be authorized to appropriate thirty thousand dollars from the fund appropriated

Mail route from Quitman to Albany.—Waters' Pamphlet.

Governor authorized to appropriate \$30,000 to support of Orphan children of Union Society of Chatham co.

for the Indigent families of Chatham County, to the support of the Orphan children of the Union Society; and that he draw his warrant in favor of Honorable Thomas Purse, who is the authorized agent for said Institution.

Assented to March 11th, 1865.

(No. 37.)

A Resolution asking our Senators and Representatives in Congress to use their influence to have a mail route established from Quitman, in Brooks county, through the county of Colquitt, to the city of Albany in Dougherty county.

WHEREAS, the people of Colquitt county, in this State, are almost altogether deprived of mail facilities, there being but one short mail route about six miles long in said county:

Mail route recommended.

Therefore be it resolved, That our Senators and Representatives in Congress be instructed to use their influence to procure the establishment of a mail route from Quitman, in Brooks county, by the way of Tallokas in said county, James Robinson's and the town of Moultrie in Colquitt county, to the city of Albany, in Dougherty county, in this State.

And be it further resolved, That the Governor of this State be requested to furnish our Senators and Representatives in Congress with a copy of these resolutions.

Assented to March 11, 1865.

(No. 38.)

Waters' Pamphlet of Public Laws to be furnished civil officers.

Resolved, That His Excellency the Governor be, and he is hereby authorized and requested to purchase, and cause to be sent by mail, as soon as published, one copy of Waters' Pamphlet of the Public Laws of the late regular and present called session, to each member of this General Assembly; one copy to each Judge of the Supreme and Superior Courts; one copy to each of the Clerks of the Supreme, Superior and Inferior Courts, and one copy to each Ordinary and Attorney and Solicitor General; and that the Governor pay for the same at five dollars per copy out of the Contingent Fund; *Provided,* the same be published and mailed within fifteen days after the adjournment of the Legislature.

To be paid from Contingent Fund.

Proviso.

Assented to March 7, 1865.

APPENDIX.

CHANGES

IN THE

C O D E O F G E O R G I A .

TABLE OF TITLES.

TITLE I.—CORPORATIONS.

“ II.—DIVORCES.

“ III.—EDUCATION.

“ IV.—ELECTIONS.

“ V.—EXRS., ADMRS., &C.

“ VI.—INCORPORATIONS.

“ VII.—JUDICIARY.

“ VIII.—MARRIAGES.

“ IX.—MILITIA.

“ X.—PENAL CODE.

“ XI.—ROADS.

“ XII.—SLAVES.

“ XIII.—TAXES.

APPENDIX.

CHANGES IN CODE OF GEORGIA.

A Resolution directing the Compiler of the Acts passed at this Session, to annex to his compilation, a memorandum, showing the changes made in the Code of Georgia.

Resolved by the General Assembly, That the Compiler of the Acts passed at this Session, be required to annex a full memorandum to the compilation, showing the changes made in the revised Code of Georgia, by any acts passed by any subsequent Legislature, since the adoption of the Code.

Assented to March 9, 1865.

Pursuant to the requirement in the foregoing Resolution, I have made strict examination for all changes in the Code, either by amendment or repeal, since its adoption by Act of Dec. 19, 1860. It may be proper to state, that though adopted on the day just stated, the operation of the Code was, by Act of Dec. 16, 1861, postponed till the 1st day of January 1863, but whilst thus suspended, as well as since, various changes were, and have been made. It is probable that in a few instances alterations or changes by general legislation, have been made without any reference in the Acts, to the Sections changed. Only such are embraced in this Appendix, where the Sections changed, are *specified by number or otherwise*. For easy reference, these various subject matters of legislation have been classified under appropriate heads. In every case, the whole Act changing any part of the Code is given, with such notes as will explain how the law now stands.

COMPILER.

TITLE I.

CORPORATIONS.

An Act to amend the 1630th section of the revised Code of Georgia, and for other purposes.

SECTION I. *The General Assembly of the State of Georgia do enact,* That, that portion of the second paragraph which follows the word "location" shall be stricken out, and the remainder of said paragraph shall be as follows: The Clerk of said Court shall place before the Judge of the Superior Court of the county, at the next term after the expiration of said advertisement, a copy of said declaration, and affidavit, and certificate of publication; and if the Court be satisfied that the application is legitimately within the purview and intention of this Code, it shall pass an order declaring the said application granted, and a certified copy of said declaration, affidavit, certificate of publication and order, shall be held and received as evidence of the charter of said corporation in any Court in this State. Sec. 1630 of Code amended as to procurement of charters for manufacturing corporations. Record, &c.

SEC. II. *Be it further enacted,* That in any cases in which parties have made efforts to obtain a charter under said section of the Code, that they be allowed to have such declaration, affidavit and certificate filed, and such order taken at the next term of the Superior Court of their respective counties, succeeding the passage of this Act. As in previous pages.

SEC. III. *Be it further enacted,* That this Act shall go into operation from the day of its passage.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 5th, 1863.

TITLE II.

DIVORCES.

SECTION I. *The General Assembly of Georgia do enact,* That from and after the passage of this Act, the following shall be good grounds for a total divorce in favor of any loyal female, a resident of the State of Georgia: 1st. That her husband is in the service of the United States; 2d. That her husband has been, or is voluntarily within the lines of the enemy, furnishing them aid and comfort. Sec. 1630 of Code amended, and new grounds of divorce provided.

SEC. II. Repeals conflicting laws.

Assented to March 18th, 1865.

Third clause of 1206th Section of the Code suspended.—178th Section of the Code repealed.

TITLE III.

EDUCATION.

An Act to suspend during the continuance of the present war, the third clause of the one thousand two hundred and sixth section of the revised Code of Georgia, relative to the publication, by the board of Education.

SECTION I. *The General Assembly of the State of Georgia do enact, That, from and after the passage of this Act, the third clause of the one thousand two hundred and sixth section of the revised Code of Georgia, be, and the same are hereby suspended during the continuance of the present war; any law, usage or custom, to the contrary notwithstanding.**

Assented to March 11th, 1865.

* The clause suspended, requires the Board of Education to publish, annually, in a public gazette, the school system adopted, rates of tuition, together with a list of receipts and expenditures.

TITLE IV.

ELECTIONS.

An Act to repeal the one hundred and seventy-eighth section of the Code of Georgia, and to revive and put in force the laws of this State, prescribing the manner of electing a Messenger and Door-Keeper for the Senate and House of Representatives, prior to the adoption of the Code.

SECTION I. *The General Assembly of the State of Georgia do enact, That the one hundred and seventy-eighth section of the Code of Georgia, be and the same is hereby repealed.*

SEC. II. *Be it further enacted, That the laws of this State prescribing the mode and manner of electing Messenger and Door-Keeper for the Senate and House of Representatives prior to the adoption of the Code of Georgia, be, and the same is hereby revived and put in force.**

SEC. III. *Repeals conflicting laws.*

Assented to April 18th, 1863.

* The Compiler can find no formal act on the statute books, prescribing the mode of electing Door-Keepers and Messengers. They seem to have been elected by resolution of each House.

TITLE V.

EXRS., ADMR'S., &C.

An Act to amend the 2480th section of the revised Code of Georgia.

SECTION I. *The General Assembly of the State of Georgia do enact,*

Sections 2483 and 2490 amended.—Sections 4792 and 4793 of Code to apply to Columbus.

That from and after the passage of this Act, the first clause of the two thousand four hundred and eightieth (2480) section of the revised Code of Georgia be amended, by inserting the words "real estate and" between the words "the" and "personal," thereby making said clause real, "all the real estate and personal property."*

Amends 1st clause of Sec. 2480 of Code.

SEC. II. Repeals conflicting laws.

Approved December 12th, 1863.

* The first clause of section amended, required Administrators to make an inventory and appraisal of personal property only. This Act adds the real estate of deceased, putting real and personal on the same footing.

An Act amendatory of the 2483 and 2490 sections of the Code of Georgia.

SEC. I. *The General Assembly of Georgia do enact*, That it shall and may be optional with Executors and Administrators, in making their returns, to attach copies of their vouchers, as provided in the aforesaid section; or to file with said returns the original vouchers, with the Ordinary, which shall remain in said Ordinary's office, for the space of thirty days, and after remaining said time, shall be recorded with said return, and when so recorded, shall be returned to said Executor or Administrator on demand for the same.

Secs. 2483 and 2490 of Code amended.

SEC. II. *Be it further enacted*, That this act shall go into effect immediately after its approval by the Governor.*

This act to go into effect immediately.

SEC. III. Repeals conflicting laws.

Assented to April 18th, 1863.

* The sections of the Code amended, made it compulsory on Exrs, Adms, &c., to allow their vouchers to remain of file in the Ordinary's Office. This amendment makes it optional, whether the vouchers shall remain on file or not, and gives the privilege of withdrawing them at the expiration of thirty days. Still, all vouchers must be full and explicit as required by the same sections of the Code, and duly recorded.

TITLE VI.

INCORPORATIONS.

An Act to so alter and amend the Code of Georgia that the provisions of sections 4792 and 4793 shall apply to, and be of force in the City of Columbus, allowing judgment entered as in case of appeal.

SECTION I. *Be it enacted*, That from and after the passage of this Act, that all the provisions of sections 4792 and 4793, of the Code of Georgia, apply to, and be of force in the City of Columbus, *Provided*, that in all cases where judgment is given against the tenant, it shall be entered as in case of appeal.*

Secs. 4792 and 4793 of Code amended.

SEC. II. Repeals conflicting laws.

Assented to March 7th, 1865.

* The Secs. amended have reference to the rights of landlords, where tenants fail to pay or do overpossession, and the remedies in such cases.

2d and 12th Secs. of Code repealed.—Sec. 2287 repealed in part.—Secs. 2509, 2510, 2512 and 3618.

TITLE VII.

JUDICIARY.

An Act to repeal the third and twelfth sections of the Code of Georgia, relative to the construction of statutes.

2d and 12th
Secs. of Code
repealed.

SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the third and twelfth sections of the Code of Georgia be, and the same are hereby repealed.

SEC. II. Repeals conflicting laws.

Assented to Dec., 14th, 1863.

*The third section of the Code, repealed by the foregoing Act, provided that all Acts passed by the General Assembly, unless otherwise declared in such Acts, should take effect from the first day of July next succeeding their passage.

The twelfth section, also hereby repealed, provided that the repeal of a repealing Act shall not be construed to revive the former Act, unless such appears to have been manifestly the intention of the General Assembly.

An Act, to repeal that portion of the two thousand two hundred and eighty-seventh section of the Code of Georgia, as prohibits the creation of trusts for male persons of sane mind.

Sec. 2287 re-
pealed in
part.

SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, that portion of the two thousand two hundred and eighty-seventh (2287) section of the Code of Georgia, as prohibits the creation of trusts, express or implied, in any property, for any male person of sane mind, be, and the same is hereby repealed.*

SEC. II. Repeals conflicting laws.

Assented to Dec. 14th, 1863.

*Trusts for male persons of sane mind may now be created.

An Act, to repeal so much of the 2509th, 2510th, 2512th and 3618th sections of the Code of Georgia, as requires three months' notice to be given in a public Gazette of an application for titles upon bonds of deceased persons, and to provide for the trial of such cases, when objections are filed, and to provide for the payment of costs in such cases.

Notice in gaz-
ette repealed

SECTION I. *The General Assembly do enact*, That from and after the passage of this Act, so much of the 2509, 2510, 2512, and 3618, sections of the Code of Georgia, as requires notice to be given to all persons concerned, by publication in a Gazette, of application for an order requiring titles to be made by the legal representatives of a deceased person, be, and the same is hereby repealed.

SEC. II. *Be it further enacted*, That fifteen days' notice in writing to the Administrator or Executor, and heirs at law of the deceased, if to be found in this State; and if non-residents, by publication in one of the Gazettes of this State for 30 days, shall be

Kind of no-
tice prescri-
bed.

4582d Sec. of the Code amended.

deemed sufficient notice to authorize the granting of an order for the execution of titles, when no objection is filed by the legal representative of said estate, or heir at law.

SEC. III. *Be it further enacted*, That when objections in writing are filed in the office of said Ordinary, it shall be the duty of the Ordinary to hear evidence, as to the fact, whether the condition of said bond has been complied with by the payment of the purchase money or not, and to grant an order requiring said titles to be made or not, as he may think the principles of justice may require; and either party being dissatisfied with the decision, may appeal to the Superior Court upon the same terms as appeals are granted in other cases. Cases, how tried. Appeal to Super. Court allowed.

SEC. IV. *Be it further enacted*, That whenever the party making said bond shall have died before the time at which said titles were to be made, and before the purchase money became due, the cost of said proceeding shall be paid by the representative of said estate; but if the time for making said titles and the payment of said money elapse before the death of the obligor, then the costs shall be paid by the applicant. Costs, how paid.

SEC. V. Repeals conflicting laws.

Assented to Dec. 14th, 1863.

An Act to amend the four thousand five hundred and ninety-second section of the Code of Georgia.

SECTION I. *The General Assembly do enact*, That from and immediately after the passage of this Act, the four thousand five hundred and ninety-second section of the Code of Georgia, be, and the same is hereby amended as follows: by inserting therein immediately after the words "unless the defendant be in jail," the words, "or otherwise in the sound discretion of the Court." Sec. 4582 of Code amended.

Assented to April 18th, 1863.

An Act to amend the 4582 section of the Code of Georgia.

SECTION I. *The General Assembly of Georgia do enact*, That from and immediately after the passage of this Act, the four thousand five hundred and ninety-second section of the Code of Georgia, be, and the same is hereby amended as follows: immediately after the words in said section, "ready for trial," insert the words "except in those cases where the defendant is entitled by law to demand a trial." Sec. 4582 of Code amended.

Assented to April 18th, 1863.

The clause as amended by two foregoing Acts will read as follows: "The cases on the criminal docket shall be called in the order in which they stand on the docket, unless the defendant be in jail, or otherwise in the sound discretion of the Court; and the State shall be required in every case to announce ready for trial, except in those cases where the defendant is entitled by law to demand a trial: and in all cases in which the defendant cannot according to law demand a trial, a continuance shall not be granted to the State, except upon a reasonable showing therefor."

Sec. 2729 repealed—Secs. 1752, 2134 and 3147 repealed.

An Act to repeal section 2729 of the Code of Georgia, relative to the effect of acceptances of bills and orders.

SECTION I. *The General Assembly of the State of Georgia do enact,*
That said section be repealed.*

Assented to Nov. 17, 1864.

*The section repealed is as follows: "An ordinary acceptance does not raise a presumption of funds in the hands of the acceptor, but the onus is on the drawer to show funds in his hands."

An Act to amend the one thousand, seven hundred and fifty-second (1752) section of the Code of Georgia.

SECTION I. *The General Assembly of the State of Georgia do enact,*
That in all cases where a bastard has died intestate, without heirs, and his property has not been escheated, or may hereafter die intestate, leaving no widow or lineal descendant, or illegitimate brother or sister, or descendant of a brother or sister, or mother; or brother, or sister of legitimate blood, or descendant of such brother or sister; then, and in that case, the brothers and sisters of the mother of such bastard, or their descendants, or the maternal grandparents, of such bastard, may inherit the estate of such bastard; and said estate shall be divided among said persons, in accordance with the degrees of consanguinity prescribed in the laws of distribution of other estates.

SEC. II. Repeals conflicting laws.*

Assented to March 4th, 1865.

*The rule of inheritance, in case of bastard children, is not changed by the above Act, in the least particular, from the rule in the Code, but the line of inheritance is only enlarged or lengthened beyond a point not provided for in the Code.

An Act to amend sections two thousand one hundred and thirty-four, and three thousand one hundred and forty-seven, of the Code of Georgia, relating to the remedies in favor of sureties.

SEC. I. *The General Assembly of the State of Georgia do enact,*
That the remedy provided by said section two thousand one hundred and thirty-four, shall be applicable to cases where the debt is not due, as well as to those where it is due; and the words "principal or" shall be stricken from division or paragraph number three, of the said section, three thousand one hundred and forty-seven. *d*

Assented to Nov. 17, 1864.

d Sec. 2134 allows a surety, guarantor or endorser to hold his principal to bail, by making the oath therein prescribed. This Act allows it done, whether the debt is due or *not due*, on proper oath made.

Sec. 3147 authorizes the writ of *ne-exeat* in certain cases. This Act allows it in favor of one surety against his co-surety, the word "principal" being stricken out, as bail is the remedy in that case.

Sec. 1658 repealed.—Certain Sections of the Code relative to the Militia repealed.

TITLE VIII.

MARRIAGES.

An Act to repeal paragraph 1658, of part second, title second, chapter first, article first, section first of the revised Code of Georgia, and to legalize marriages in violation of the same.

WHEREAS, by the above cited paragraph of the revised Code of Georgia, all marriages, not solemnized in conformity with the other provisions of said Code, are declared to be invalid; *and whereas,* Preamble. said innovation upon the law, as it stood before the adoption of said revised Code, will have the effect of giving rise to perplexing questions of legitimacy of children, and rights of property, and to domestic unhappiness. Therefore,

SECTION I. *The General Assembly of the State of Georgia do enact,* That from and after the passage of this Act, paragraph 1658 Paragraph 1658 of Code repealed. of part second, title second, chapter first, article first, section first of the revised Code of Georgia be repealed.

SEC. II. *And be it further enacted,* That all marriages heretofore solemnized, not in conformity with the provisions of said Act shall excuse any Ordinary, Judge, Justice or Minister of this Gospel, for any non-performance of duty as required in said paragraph 1658, of said part, title, chapter and section of said Code.* Legalize marriages not solemnized accordingly.

SEC. III. Repeals conflicting laws.

Assented to Dec. 14th, 1865.

* Paragraph 1658 of Code, hereby repealed, provides for obtaining licence, and publication of the banns of marriage in a neighboring church, in the presence of the congregation, for at least three Sabbath days prior to the solemnization. The repeal of this section of the Code does not dispense with license, as would seem by the repeal of the whole section, as other sections provide for license, and it was manifestly designed to repeal only the part referring to publication of banns.

TITLE IX.

MILITIA.

An Act to repeal sections nine hundred and eighty-six, nine hundred and eighty-seven, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-two, and nine hundred and ninety-three of the Code of Georgia.

SECTION 1. *Be it enacted by the Senate and House of Representatives,* That from and after the passage of this Act, sections nine hundred and eighty-six, nine hundred and eighty-seven, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-two, and nine hundred and ninety-three of the Code of Georgia, be, and the same are hereby repealed.* Certain Secs. of Code repealed.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

* The sections repealed have sole reference to militia duty, prescribing commutation tax in lieu of personal service, mode of collection, &c., times and places of muster. The Act of Dec. 14 1865, reorganizing the Militia, has changed the entire system in the Code.

Sec. 4459 repealed.—Paragraph 1855th of Code amended.—Sec. 4708 amended.

TITLE X.

PENAL CODE.

An Act to repeal section 4459 of the Revised Code of Georgia, and to substitute another in lieu thereof.

Sec. 4459 of
Code repealed

SECTION I. *The General Assembly of Georgia do enact, That from and after the passage of this Act, section 4459 of the revised Code of Georgia, be, and the same is hereby repealed.*

Forestalling,
regrating and
engrossing in-
dictable.

SEC. II. *Be it further enacted, That the common law be revived and declared of full force and effect, as if said section of the Code had not been adopted, and that any person or persons charged with the offences known to the common law as forestalling, regrating or engrossing, may be indicted in any Superior or Corporation Court having jurisdiction thereof, and who may be found guilty, shall be punished by fine, not exceeding the value of the goods so forestalled, regrated or engrossed, and punished in the common jail not exceeding six months. It is hereby made the duty of the Judges of the above named Courts to give this section in special charge to their respective Grand Juries at the opening of the several terms thereof.†*

Sec. 4708

Judges shall
give this Act
in special
charge.

SEC. III. Repeals conflicting laws.

Assented to Dec. 5th, 1863.

† Sec. 4459 of Code abolished the offence of forestalling, regrating and engrossing. This Act reinstates and makes them indictable.

An Act to amend the 1855th paragraph of the Revised Code of Georgia.

Penalty for
violating pro-
visions of Sec.
1855 of Code.

SEC. I. *The General Assembly of Georgia do enact, That from and after the passage of this Act, if any person shall violate the provisions of the one thousand eight hundred and fifty-fifth (1855) paragraph of the revised Code of Georgia, he, she, or they shall be punished by fine, at the discretion of the Court.‡*

SEC. II. Repeals conflicting laws.

Assented to Dec. 12th, 1863.

‡ Sec. 1855 of Code provides, that each owner shall keep his slaves on his own premises, or within his control. "Shall not permit them to labor or transact business for themselves, except on holidays, or on his own premises. Nor to rent any house, room, store or land on their own account. This Act simply prescribes the penalty, which was neglected in the Code.

An Act to amend section 4,708 for the Code of Georgia.

WHEREAS, The Code of Georgia, in enumerating the crimes committed by slaves, and fixing the punishment for the same, does not embrace the crime of burglary.

Sec. 4708 of
Code amend-
ed.

SEC. I. *The General Assembly of Georgia do enact, That the crime of burglary be included in, and made a part of section 4,708 of said Code, which section enumerates the crimes committed by slaves, which*

Sec. 4317 amended.—Sec. 611 amended.—Sec. 2134 amended.

shall be punished, in the discretion of the Court, either by death or such other punishment as the Court may prescribe.

Assented to April 18, 1863.

An Act to amend the 4317th section of the Code of Georgia.

SEC. I. *The General Assembly of Georgia do enact, That from after the passage of this Act, section four thousand three hundred and seventeen (4317) of the Code of Georgia, be amended by adding "Railroad car" after the word "hut," and that the same go into effect on the 25th day of April, 1863.* Sec. 4317 of Code amended.

SEC. II. Repeals conflicting laws.^d

Assented to April 18th, 1863.

^d The section amended will read as follows

"Any person entering and stealing from any hut, "Railroad car," tent, booth or temporary building, shall be punished by imprisonment and labor in the Penitentiary, for any time not less than one year, nor longer than four years."

TITLE XI.

ROADS.

An Act to amend section 611th of the Code of Georgia.

SECTION I. *The General Assembly of the State of Georgia do enact* That from and after the passage of this Act, the following words to-wit: "provided the public road overseer, in charge of them respectively, are paid one dollar per day for each hand so liable," in section six hundred and eleventh (611) of the Code of Georgia, be altered, so as to read as follows to-wit: "provided the public road overseer, having charge of them respectively, are paid two dollars and fifty cents per day, for each hand so liable."^e Sec. 611 of Code amended.

SEC. II. Repeals conflicting laws.

Assented to Dec. 5th, 1863.

^e Sec. 611 of Code provided, that laborers on any line of incorporated Rail Roads, liable to road duty, could be relieved by paying to overseer one dollar per hand for each day. This Act raises amount to be paid, to \$2.50 per day, to be expended in procuring other hands.

An Act to repeal the six hundred and thirty third section of the Code of Georgia, relative to road commissioners.

SECTION I. *The General Assembly of the State of Georgia do enact, That the six hundred and thirty-third (633) section of the Code of Georgia be, and the same is hereby repealed, any law custom or usage to the contrary notwithstanding.* Repeals 633 Sec. of Code.

Assented to Nov. 28th, 1863.

^f The section repealed, exempted Road Commissioners while in office from all Jury, patrol, militia and other road duty, and for two years afterwards, if they had served faithfully.

Sec. 1376 repealed.—Sec. 786 amended.—Third clause 739th Sec. amended.

TITLE XII.

SLAVES.

An Act to repeal the 1376th section of the Code of Georgia.

Sec. 1376 of
the Code re-
pealed.

SECTION I. *The General Assembly of Georgia do enact*, That section 1376 of the Code of Georgia, which reads as follows: "It shall be unlawful for any church, society, or other body, or any persons, to grant any license or other authority to any slave or free person of color to preach or exhort, or otherwise officiate in church matters," be, and the same is hereby repealed.

Previous law
re-enacted.

SEC. II. And that the law in reference to licensing slaves and free persons of color to preach, existing before the adoption of the Code, is hereby re-enacted.*

Assented to April 18th, 1863.

*For the statute hereby revived, see T. R. R. Cobb's New Digest, pp. 1005 and 1006.

TITLE XIII.

TAXES.

An Act to amend the seven hundred and eighty-sixth section of the Code of Georgia relative to taxing Defaulters.

Tax default-
ers double
taxed first
year, fourfold
second year,
&c.

SECTION I. *The General Assembly of this State do enact*, That the seven hundred and eighty-sixth (786) section of the Code of Georgia, be so amended as to provide, That if any person shall fail to make a return of taxable property, in whole or in part, under the tax acts in force in this State, such persons so in default, shall be double taxed for the first years default, for the second years default four fold, and increasing in the same ratio each year, until a return is made.

SEC. II. Repeals conflicting laws.

Assented to Dec. 7th, 1863.

*The Section amended provided only double taxation on Redgivers assessment.

An Act to amend the third clause of the (739th) seven hundred and thirty-ninth section of the Code of Georgia.

Sec. 739 of
the Code
amended.

SECTION I. *Be it enacted*, That the third clause of the seven hundred and thirty-ninth section of the Code of Georgia, be amended by inserting the word "male" between the words "white" and "persons;" thereby making said clause read, "every free white male person between the ages of twenty-one and sixty, twenty-five cents."

SEC. VI. Repeals conflicting laws.

Assented to April 16th, 1863.

*The clause amended, is the one assessing specific or poll tax, and simply makes the tax imposable on free white male persons between certain ages, and not on all free, white persons, which would include females.

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| " 2. Recommends that C. S. four per cent. bonds, and certificates for produce be received for taxes. | " 23. To suspend the collection of taxes in certain cases. |
| " 3. Mail Route recommended. | " 24. Recommends that certificates for produce impressed be received for taxes. |
| " 4. Mail Route recommended. | " 25. Recommends release of Tax in Kind in counties overrun. |
| " 5. State Treasurer authorized to count and burn change bills and Treasury notes. | " 26. Corn, or money in lieu, to be furnished to counties not supplied under Act of Nov., 1863. |
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| " 7. Commutation of tax in kind, in certain cases, recommended. | " 28. Joint Committee to examine the Penitentiary. |
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